




December 29, 2022

To: Mayor Jerry L. Demings
-AND-
County Commissioners

From:  Carrie Mathes, CFCM, NIGP-CPP, CPPO, C.P.M., Manager II,
Procurement Division

Contact: Sara Flynn-Kramer, Manager II, Capital Projects Division
407-836-0048

Subject: Award of Invitation for Bids Y23-704-CC, Regional History
Center Computer Room Air Conditioner Units Replacement

ACTION REQUESTED:

Approval to award Invitation for Bids Y23-704-CC, Regional History Center Computer Room Air Conditioner Units Replacement, to the low responsive and responsible bidder, Air Mechanical & Service Corp., in the total contract award amount of \$665,000.

PROCUREMENT:

Work under this contract includes the replacement of all existing chilled water computer room air conditioner units that are located on the 2nd, 3rd, and 4th floors of the Orange County Regional History Center. The project is located in District 5.

FUNDING:

Funding is available in account number 1023-043-2049-3810.

APPROVALS:

The Capital Projects and Business Development Divisions concur with this recommendation.

REMARKS:

Three bids were received in response to the Invitation for Bids and were evaluated for responsiveness, responsibility, and price reasonableness. The bids submitted by Comfort Aircon, Inc. and General Mechanical Corporation were deemed non-responsive by the Procurement Division, based on the analysis provided by the Business Development Division, which identified that the M/WBE participation goal was not achieved, and good faith effort documentation was not provided. A timely protest was filed by Comfort Aircon, Inc. In accordance with the Procurement Ordinance, a protest review was held by the

Award Invitation for Bids Y23-704-CC, Regional History Center Computer Room Air Conditioner Units Replacement
Page 2

Procurement Manager on December 15, 2022, and the decision was rendered to deny the protest. No appeals were received. The low bid is considered reasonable based on current market factors. References provided were satisfactory for this type of work and Air Mechanical & Service Corp. has been determined to be responsible. Therefore, award is recommended to Air Mechanical & Service Corp.

Bid tabulation is as follows:

Bidder	Total Bid Amount
Air Mechanical & Service Corp.	\$665,000
Comfort Aircon, Inc.	Non-Responsive
General Mechanical Corporation	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

November 23, 2022

TO: Corie Cummings, Contracting Agent
Procurement Division

FROM: Princess Clarke, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division M/WBE Bid Evaluation

PROJECT: Y23-704-CC / Regional History Center Computer Room Air Conditioner
Units Replacement (Revised)

The Business Development Division evaluated three bids submitted for this project. The Business Development Division completed an M/WBE Availability Analysis. The scope of services for this project had limited Minority/Women Business Enterprise availability. As a result, the M/WBE goal remained at 25%. At the time of bid opening, at least 63 M/WBE firms were certified to provide the scope of services at the subcontract level.

The apparent low bid, submitted by Orange County MBE firm Comfort Aircon, Inc., is bidding as Prime Contractor did not meet the Orange County M/WBE participation goal **per the Ordinance requirement**. Therefore, Comfort Aircon, Inc., is required to self-perform no less than 51% of the contract per Sec. 17-321 per the M/WBE Ordinance. In the event this requirement is not achieved, other M/WBE's will have to be included to achieve the 25% M/WBE goal. Comfort Aircon, Inc., reported self-performing 0% with 0% sub-contractor's participation listed on attachment C-2. No letters of intent were received from the low bidder for certified M/WBE subcontractors. **Good Faith Effort (GFE) was not submitted per the Ordinance if the M/WBE goal is not met.** Therefore, GFE was not achieved.

The apparent second low bid, submitted by General Mechanical Corporation, reported 0% in M/WBE participation and did not meet the Orange County M/WBE participation goal **per the Ordinance requirement**. **Good Faith Effort (GFE) was not submitted per the Ordinance if the M/WBE goal is not met.** Therefore, GFE was not achieved.

Aheena Ferguson

The apparent third low bid, submitted by Air Mechanical & Service Corp., reported 4.68% in M/WBE participation and did not meet the Orange County M/WBE participation goal **per the Ordinance requirement**. However, did achieve good faith effort documentation. Please note the following certified M/WBE participation:

MBE-AFAM	Celectsys	\$7,200
WBE-HF	First Option Insulation	\$23,929.90
Total MWBE Participation		\$31,129.90 (4.68%)

In the event the lowest bidder is not the recommended bidder, then letters of intent must be obtained from the recommended bidder two business days after being contacted. The Procurement Division notified the Business Development Division on November 8, 2022, to state Air Mechanical & Service Corp. was under consideration for award recommendation and therefore letters of intent (LOI's) needed to be obtained. The Business Development Division received the LOI's on November 17, 2022.

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. Attached is a spreadsheet reconciling the bidders' compliance with the Invitation for Bid's M/WBE requirements, including the percentage breakdown for all bidders and a comparison of the relative bids versus participation percentages.

Also, I confirm my recommendation is free of conflicts of interest.

cc: Sheena Ferguson, Manager, Business Development Division

BID COMPARISON									
Y23-704-CC / Regional History Center Computer Room Air Conditioner Units Replacement									
Rank	Bidder	Bid Amount	Prime MWBE \$'s in the Bid	Sub-contractor M/WBE \$'s in Bid	% Prime MWBE self- performing (Goal 51%)	% Sub- contractor M/WBE (Goal 25%)	Total MWBE %	GFE	EEO % M / W
Low Bid	Comfort Aircon, Inc.	\$474,000.00	\$0.00	\$0.00	0.00%	0.00%	0.00%	No	100 / 0 %
2nd Low	General Mechanical Corporation	\$503,800.00	\$0.00	\$0.00	0.00%	0.00%	0.00%	No	18 / 0 %
3rd Low	Air Mechanical & Service Corp.	\$665,000.00	\$0.00	\$31,129.90	0.00%	4.68%	4.68%	Yes	33 / 0 %