

On **FEBRUARY 8, 2021**, the **CONCESSIONS/PROCUREMENT COMMITTEE** of the **GREATER ORLANDO AVIATION AUTHORITY** met in the Carl T. Langford Board Room at Orlando International Airport, One Jeff Fuqua Boulevard, Orlando, Florida, 32827. Chairman Friel called the meeting to order at 1:30 p.m. The meeting was posted in accordance with Florida Statutes and a quorum was present.

**Committee members present:** Brad Friel, Chairman  
Kathleen Sharman, Vice Chair  
Thomas Draper, Senior Director of Operations  
Brian Engle, Director of Customer Experience  
Deborah Silvers, Director of Risk Management

**Staff/Others present:** Bruce Gant, Manager of Purchasing Contracts  
Diana Hershner, Manager of Purchasing  
Jim Surguine, Manager, Plant Maintenance  
Steve Pue, Assistant Director, Maintenance Contracts  
Jo Thacker, Nelson Mullins, Legal Counsel  
Larissa Bou, Manager of Board Service and Recording  
Secretary

*Chairman Friel announced to all present that if a bidder or proposer is aggrieved by any of the proceedings of today's meeting and wishes to appeal the results of actions made by this Committee, they must file an appeal stating the item they wish to appeal and the basis for which they wish to appeal, and it must be received in writing by the Chief Executive Officer, Mr. Phillip N. Brown, via email pbrown@goaa.org with copy to larissa.bou@goaa.org, by Monday, February 15, 2021, at 4:00 p.m. (emails will be accepted during the pandemic COVID-19).*

*For individuals who conduct lobbying activities with Aviation Authority employees or Board members, registration with the Aviation Authority is required each year prior to conducting any lobbying activities. A statement of expenditures incurred in connection with those lobbying instances should also be filed prior to April 1 of each year for the preceding year. Lobbying any Aviation Authority Staff who are members of any committee responsible for ranking Proposals, Letters of Interest, Statements of Qualifications or Bids and thereafter forwarding those recommendations to the Board and/or Board Members is prohibited from the time that a Request for Proposals, Request for Letters of Interests, Request for Qualifications or Request for Bids is released to the time that the Board makes an award. In the event a lobbyist meets with or otherwise communicates with Staff or a Board member, including the Mayor of the City of Orlando or the Mayor of Orange County, the lobbyist shall file a Notice of Lobbying (Form 4) detailing each instance of lobbying to the Aviation Authority within 7 calendar days of such lobbying. Lobbyists will also provide a notice to the Aviation Authority when meeting with the Mayor of the City or Mayor of Orange County at their offices. The policy, forms, and instructions are available on the web site. Please contact the Chief Administration Officer with questions at (407) 825-7105.*

Before proceeding to business, Chairman Friel, asked Committee members to report any conflicts of interest or violations of the Aviation Authority's Code of Ethics and Business Conduct; lobbying activities policy; or the Florida Sunshine law with regard to any agenda item. None were expressed by any Committee member.

#### **MINUTES**

1. Upon motion by Vice Chair Sharman, second by Mr. Draper, motion passed to accept the January 25, 2021, minutes as written.

#### **RECOMMENDATION TO APPROVE AMENDMENT NO. 1, FIRST RENEWAL OPTION FOR PURCHASING CONTRACT 07-18, TRADEPORT DRIVE LANDSCAPE MAINTENANCE AND IRRIGATION SERVICES WITH HELPING HAND LAWN CARE LLC (HELPING HAND)**

2. Mr. Gant presented the item.

The initial term of the contract was for thirty-six (36) months, which commenced on July 25, 2018, with the Aviation Authority having options to renew the contract for two (2) additional periods of one (1) year each. The initial term is due to expire on July 24, 2021.

This contract requires Helping Hand to furnish all labor, supervision, materials (including any replacement plant material required), supplies, tools, equipment, licenses, permits,

**RECOMMENDATION TO APPROVE AMENDMENT NO. 1, FIRST RENEWAL OPTION FOR PURCHASING CONTRACT 07-18, TRADEPORT DRIVE LANDSCAPE MAINTENANCE AND IRRIGATION SERVICES WITH HELPING HAND LAWN CARE LLC (HELPING HAND) – (CON'T)**

chemicals, fertilizer, mulch, and all other items necessary or proper for, or incidental to, performing exterior landscape maintenance and irrigation services located along Tradeport Drive and surrounding areas at the Orlando International Airport (OIA) in accordance with the contract documents.

First Renewal Option - July 25, 2021 through July 24, 2022.

Department - Concurs with the renewal option.

Contractor - Based on the information known at this time, Helping Hand has performed satisfactorily during the initial term.

The annual value for the first renewal option is for a total not-to-exceed amount of \$355,020 with no rate increase. The actual amount paid to the contractor is based on actual work requested, performed, and approved by the Aviation Authority, based on the unit prices.

This contract has been designated as a directed procurement for a Local Developing Business (LDB). The Small Business Development department certifies that this contract is in good standing as it relates to LDB participation.

The fiscal impact for the first renewal option is a not-to-exceed amount of \$355,020 with funding from the Operations and Maintenance Fund 301.631.330.5340004.000.100008. Funds expected to be spent under the contract in the current fiscal year are within budget. Funding required in current and subsequent fiscal years will be allocated from the Operations and Maintenance Fund, as approved through the budget process and when funds become available.

It was respectfully requested that the Concessions/Procurement Committee approve the following be recommended to the Aviation Authority Board: (1) approve Amendment No. 1, First Renewal Option for Purchasing Contract 07-18, Tradeport Drive Landscape Maintenance and Irrigation Services with Helping Hand Lawn Care, LLC; (2) authorize funding from the Operations and Maintenance Fund in the not-to-exceed amount of \$355,020; and (3) authorize an Aviation Authority Officer or the Chief Executive Officer to execute the necessary documents following satisfactory review by legal counsel.

Chairman Friel asked if anyone in the audience would like to speak regarding this item. Ms. Bou confirmed she had not received any speaker requests. He then asked if any Committee member had questions or comments. Vice Chair Sharman asked if the prices remain the same. Mr. Gant replied in the affirmative. Vice Chair Sharman followed up by asking if the Maintenance department is satisfied with the services provided by Helping Hand. Mr. Pue confirmed that Helping Hand has performed satisfactorily and the department is satisfied with their services.

Upon motion by Mr. Draper, second by Vice Chair Sharman, vote carried to approve staff's recommendation.

**RECOMMENDATION TO AWARD INVITATION FOR BID (IFB) 12-21, VARIABLE FREQUENCY DRIVE REPAIR AND/OR REPLACEMENT SERVICES**

3. Mr. Gant presented the item.

The term of the contract is for thirty-six (36) months with initial service to commence on or about May 1, 2021, with the Aviation Authority having options to renew the contract for two (2) additional periods of one (1) year each.

This contract will be to provide all labor, supervision, parts and components, tools, equipment, and consumables and all other items necessary or proper for, or incidental to, performing repair and/or replacement of the Aviation Authority's variable frequency drives at the Orlando International Airport in accordance with the contract documents.

**RECOMMENDATION TO AWARD INVITATION FOR BID (IFB) 12-21, VARIABLE FREQUENCY DRIVE REPAIR AND/OR REPLACEMENT SERVICES – (CON'T)**

On January 6, 2021, the following IFB's were received:

<u>Name of Respondent</u>	<u>Total Three (3) Year Bid Price</u>
Strut Mechanical, Inc.	\$360,300.00
MC2, Inc.	\$371,100.00
Cold Wall, Inc.	\$394,950.00

References for the three bidders were checked and based thereon were determined to be responsive. The three bidders were determined to be responsive and responsible.

The Small Business Development Department has not established MWBE/LDB goals due to the limited and specialized scope of the required services.

Pricing is based on: (1) hourly rates for standard, non-standard hours and additional work, and (2) parts, materials, rentals and components purchased for variable frequency drive repair and replacement services.

Strut Mechanical, Inc.'s bid in the amount of \$360,300 is to be funded from the Operations and Maintenance Fund 301.631.210.5460001.000.100020. Funds expected to be spent under the contract in the current fiscal year are within budget. Funding required in current and subsequent fiscal years will be allocated from the Operations and Maintenance Fund.

It was respectfully requested that the Concessions/Procurement Committee approve that the following be recommended to the Aviation Authority Board: (1) award Purchasing Bid 12-21, Variable Frequency Drive Repair and/or Replacement Services, to Strut Mechanical, Inc., as the low responsive and responsible bidder; (2) authorize funding from the Operations and Maintenance Fund in a not-to-exceed amount of \$360,300; and (3) authorize an Aviation Authority Officer or the Chief Executive Officer to execute the necessary documents following satisfactory review by legal counsel.

Chairman Friel asked if anyone in the audience would like to speak regarding this item. Ms. Bou confirmed she had not received any speaker requests. He then asked if any Committee member had questions or comments. Mr. Engle inquired about the scope of work covered under the variable frequency drive. Mr. Surguine replied that variable frequency drive controls the speed of motors for air handling equipment and pumps, which amount to hundreds throughout the airport.

In response to Chairman Friel's question regarding a previous contract for the same services, Mr. Surguine clarified that this contract is separate from the one under MC<sup>2</sup>.

Upon motion by Mr. Engle, second by Ms. Silvers, vote carried to approve staff's recommendation.

**RECOMMENDATION TO APPROVE THE PURCHASES OF RENEWALS OF COMPUTER HARDWARE AND SOFTWARE MAINTENANCE, SUPPORT AND LICENSES**

4. Ms. Hershner presented the item.

This request is for multiple purchases of Computer Hardware and Software Maintenance, Support, Maintenance and Support Renewals and License Renewals, as well as Software as a Service (SaaS) License Renewals, and other Internet Based Subscription Service Renewals (Technology Renewals) by utilizing various procurement methods as reflected in the attached list, and as allowed by Aviation Authority Policies.

The term of each renewal may range from a pro-rated period of less than 12 months to a not-to-exceed period of 60 months as appropriate for the renewal agreement purchased.

All Aviation Authority owned computer hardware and software licenses require support and/or maintenance to ensure the continuous operation of such computer hardware and/or software applications to support the operations of the Aviation Authority. The Aviation Authority's Information Technology (IT) Department provides routine user support needs, but almost all of the hardware and software applications are either proprietary, protected by a copyright, and/or protected under license agreement terms, and therefore require

**RECOMMENDATION TO APPROVE THE PURCHASES OF RENEWALS OF COMPUTER HARDWARE AND SOFTWARE MAINTENANCE, SUPPORT AND LICENSES – (CON'T)**

technical expertise that staff does not have. The Aviation Authority's Purchasing Department makes every effort to obtain competitive pricing on initial agreement purchases and agreement renewals, but in many cases, the agreements and the technical expertise required are only available directly from the original hardware or software manufacturers. The acquisition of maintenance agreements or support services in many cases from a supplier other than the manufacturer could void hardware warranties, result in equipment downtime, or violate copyright laws.

The Aviation Authority also has SaaS licensing agreements in which the software is not owned by the Aviation Authority but for which the Aviation Authority has purchased access. These agreements are required to support the operational needs of various Aviation Authority departments. The use of SaaS licensing agreements eliminates the Aviation Authority's need to purchase computer hardware and/or "traditional" software licenses. Computer hardware maintenance is the responsibility of the SaaS provider and software upgrades are included in the annual renewal costs.

The Aviation Authority also has Internet Based Subscription Service agreements in which the provider grants the Aviation Authority access to a proprietary database. These subscription services are required to support the operational needs of various Aviation Authority departments. The use of a Subscription Service agreement eliminates the Aviation Authority's need to contract for services to develop these databases and then subsequently continue to contract for services to continually update the database. The database is created by and continually updated by the service provider. These activities are included in the annual renewal cost.

The Small Business Development Department has reviewed the requirements for the above-referenced solicitation and determined that, due to the limited and specialized scope of the required services, and/or lack of ready, willing and able certified small businesses, it does not lend itself to MWBE/LDB/VBE participation.

The estimated value of this request is \$8,719,331.39, which includes a contingency of 20%, through March 31, 2022. The value of renewal purchases made have been funded by the associated departments from the Operations and Maintenance Fund that is approved during the budget process. Funds expected to be spent in the current fiscal year are within budget. The departments requiring Technology Renewal purchases going forward intend to submit budget requests for funds expected to be spent under the resulting Purchase Orders in FY '22 and such requests, when considered with known or anticipated obligations of the departments for FY '22, do not exceed expected or reasonable funding approvals.

It was respectfully requested that the Concessions/Procurement Committee approve that the following be recommended to the Aviation Authority Board: (1) approve the Purchases of Renewals of Computer Hardware and Software Maintenance, Support, Maintenance and Support, and Licenses on the attached list, which renew within the 12-month approval period of April 1, 2021 through March 31, 2022; (2) authorize funding from previously-approved departments' Operations and Maintenance Funds in the not-to-exceed amount of \$8,719,331.39, which includes a 20% contingency for anticipated price increases and the purchase of new licenses and hardware support; and (3) authorize the Purchasing Department to award purchase orders for each renewal utilizing competitive quotations, direct negotiations, single source procurements, sole source procurements, other entities' contract (piggy-backing), procurement card, or other methods in compliance with referenced Aviation Authority policies.

Chairman Friel asked if anyone in the audience would like to speak regarding this item. Ms. Bou confirmed she had not received any speaker requests. He then asked if any Committee member had questions or comments. Vice Chair Sharman started by commending Ms. Hershner for doing a nice job putting this item together. Moving on, she referenced Attachment D (copy on file) and asked Ms. Hershner if the "SgS" and "SGS" acronyms on the list stand for the same method of procurement. Ms. Hershner responded that both acronyms refer to Single or Sole Source procurements. Vice Chair Sharman followed up by asking if the Single and Sole Source procurements have been already listed per the HB 915 requirements. Ms. Hershner responded that a list with procurements designated as Single or Sole Source have already been posted both on the airport's website and on the e-procurement system (AirportLink) for public notification.

Discussion ensued regarding items coming off warranty and how those items are listed.

**RECOMMENDATION TO APPROVE THE PURCHASES OF RENEWALS OF COMPUTER HARDWARE AND SOFTWARE MAINTENANCE, SUPPORT AND LICENSES – (CON'T)**

Ms. Silvers expressed some concerns regarding the dates listed on Attachment D and asked if the Committee is approving money for all of licenses listed on the spreadsheet. Ms. Hershner answered in the affirmative and explained that there are some items that look as if they have expired; however, those items are either being negotiated or Purchasing is working with the corresponding department to determine if the licenses will be renewed. Ms. Hershner added that items that are determined to be no longer needed would be removed from the list. Ms. Silvers followed up by asking if these are all annual agreements. Ms. Hershner replied that these would be agreements within the next 12-month period, unless the department decides to cancel the services.

Upon motion by Ms. Silvers, second by Mr. Draper, vote carried to approve staff's recommendation.

**ADJOURNMENT**

3. Chairman Friel asked if there was further business to discuss before the Committee. Having no further business to discuss, he adjourned the meeting at 1:50 p.m.

*(Digitally signed on March 1, 2021)*



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Larissa Bou  
Recording Secretary



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Brad Friel  
Chairman