

On **APRIL 5, 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 1:31 p.m. The meeting was posted in accordance with Florida Statutes and a quorum was present.

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

**Staff/Others present:** Diana Hershner, Senior Manager of Purchasing  
Bruce Gant, Manager of Purchasing Contracts  
Abdu El-Baroudi, Manager of Cost Control and 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, April 12, 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 Mr. Draper, second by Ms. Silvers, motion passed to accept the February 22 and March 22, 2021, minutes as written.

#### **CONSENT AGENDA**

2. Chairman Friel asked if anyone in the audience would like to speak regarding the Consent Agenda item. Ms. Bou confirmed she had not received any speaker requests. Chairman Friel then asked if any Committee member had questions or wished to pull the item for discussion. Ms. Silvers asked if additional licenses, which will require approval next year, will be brought to the Committee for consideration. Ms. Hershner answered in the affirmative. Ms. Silvers followed up by asking if the \$104,218.70 is covered by the contingency on the item approved at the March 17, 2021, Aviation Authority Board meeting. Ms. Hershner explained that because the amount is outside the 20% contingency, the item is being presented separately for consideration.

MINUTES FOR THE APRIL 5, 2021, CONCESSIONS/PROCUREMENT COMMITTEE

**CONSENT AGENDA (con't)**

Upon motion by Ms. Silvers, second by Mr. Engle, vote carried to approve the following Consent Agenda items:

A. recommend to the Chief Executive Officer to: (1) award of Purchasing Request for the Purchase of Microsoft software licenses and software assurance through the Utilization of the State of Florida Contract 43230000-15-02, Licensing Solutions Providers (LSP) of Microsoft Software and Services, to SHI International Corp.; (2) authorize funding from the previously-approved Operations and Maintenance Fund in the not-to-exceed amount of \$104,218.70; and (3) authorize the Purchasing Department to issue the necessary Purchase Order.

**RECOMMENDATION TO APPROVE AMENDMENT NO. 1, CONTRACT ADJUSTMENT FOR PURCHASING CONTRACT PS-329, PARKING ACCESS AND REVENUE CONTROL SYSTEM WITH SKIDATA, INC.**

3. Ms. Hershner presented the item.

At its January 15, 2014 meeting, the Aviation Authority Board approved the recommendation to award PS-329 for Parking Access and Revenue Control System (Parking System) to Skidata, Inc. This Contract is to furnish all hardware, software, interfaces, tools, equipment, materials, labor, supervision, project management, warranties, and maintenance for a new Parking System at the Orlando International Airport. The initial term of the Contract was through final acceptance with a 12-month warranty period, after which a 60-month maintenance period shall begin. The Aviation Authority will have 5 renewal options for a period of 1 year each after the initial maintenance period ends.

The original contract has been revised by 16 Change Orders (COs) for the purposes of adjustments to the scope of work and for the addition of equipment, parts and hardware required to complete the installation and implementation of the parking system (see Contract Summary). As a result of the multiple COs, the warranty period for the additional items was extended. The final acceptance has been issued, and the warranty period is now scheduled to expire on April 30, 2021.

Amendment No. 1 adds the required Maintenance Services for the 60-month maintenance period and additional warranty services.

Maintenance Services - May 1, 2021 to April 30, 2026. These services are a requirement of the PS-329 Parking Access and Revenue Control System Purchasing Contract in the not-to-exceed amount of \$1,402,904.

Warranty Services - Warranty for added Software and Hardware as a result of change orders is in the not-to-exceed amount of \$116,340.

Department - Concurs with Maintenance Services period and Warranty Services.

Contractor - Based on the information known at this time, Skidata, Inc. is performing satisfactorily.

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

The fiscal impact for the contract adjustment is a total not-to-exceed amount of \$1,519,244. Funding will be from the Operations and Maintenance Fund 301.234.601.5460001.000.000000. Funds expected to be spent under the Contract in the current fiscal year are within budget. Funding required in current and subsequent fiscal year 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 that the following be recommended to the Aviation Authority Board: (1) approve Amendment No. 1, Contract Adjustment for Purchasing Contract PS-329, Parking Access and Revenue Control System with Skidata, Inc.; (2) authorize funding in a total not-to-exceed amount of \$1,519,244 from the Operations and Maintenance Fund; (3) authorize an Aviation Authority Officer or the Chief Executive Officer to execute the necessary documents following satisfactory review by legal counsel; and (4) authorize the Purchasing Department to issue the necessary Purchase Orders.

**RECOMMENDATION TO APPROVE AMENDMENT NO. 1, CONTRACT ADJUSTMENT FOR PURCHASING CONTRACT PS-329, PARKING ACCESS AND REVENUE CONTROL SYSTEM WITH SKIDATA, INC. (CON'T)**

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 for this item. He then asked if any Committee member had questions or comments. Ms. Silvers requested clarification regarding the amount breakdown shown on Attachment C - Finance Form, as the three line items have the same funding code. Mr. El-Baroudi confirmed that all three line items shown on the form would be funded from the same account code. However, these were broken down to show the amount for monthly maintenance, additional work based on hourly rates, and extended warranty separately.

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

**RECOMMENDATION TO AWARD INVITATION FOR BID (IFB) 16-21, USDA REGULATED GARBAGE SERVICES**

4. Mr. Gant presented the item.

The term of the Contract period is for thirty-six (36) months with the initial services to commence on or about June 1, 2021, and 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 furnish all labor, supervision, materials, supplies, tools, equipment and all other items necessary or proper for, or incidental to, performing the removal, processing and disposal of USDA regulated garbage (international garbage) from Aviation Authority's regulated garbage designated collection facility, at the Orlando International Airport in accordance with the contract documents.

On February 5, 2021, the following IFB's were received:

<u>Name of Respondent</u>	<u>Total Three (3) Year Bid Price</u>
Covanta Environmental Solutions, LLC (Covanta)	\$1,170,160.00
Stericycle, Inc.	\$2,038,665.00*

\* The bid submitted by Stericycle, Inc. contained mathematical errors in its price schedule resulting in an understatement of their bid by \$11,168.00. The corrected price is reflected in the above tabulation. The errors did not affect the ranking.

References for the two bidders were checked and based thereon were determined to be responsible. Both bidders were determined to be responsible and responsive.

A Minority and Women Business Enterprise (MWBE) and Local Developing Business (LDB) participation goal has not been established for this Contract.

This is a service Contract for USDA Regulated Garbage Services. The Aviation Authority pays the contractor a monthly Container User Fee, a Container Pickup Fee and a Per Ton Fee for the disposal of Regulated Garbage. The amount paid to the contractor is based on services authorized by the Aviation Authority and actually performed by the contractor, based on the unit price in accordance with the contract document.

Covanta Environmental Solutions, LLC's bid in the amount of \$1,170,160 is to be funded from the Operations and Maintenance Fund 301.416.210.5340007.000.000000. 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 that the following be recommended to the Aviation Authority Board: (1) award Purchasing Bid 16-21, USDA Regulated Garbage Services, to Covanta Environmental Solutions, as the low responsive and responsible bidder; (2) authorize funding from the Operations and Maintenance Fund in a not-to-exceed amount of \$1,170,160; and (3) authorize an Aviation Authority Officer or the Chief Executive Officer to execute the necessary documents following satisfactory review by legal counsel.

Mr. Gant indicated for the record that there was a clarification required during the process. The low bidder (Covanta) requested certain modifications to the Aviation Authority's terms and conditions, including minor adjustments to the Performance Bond form

**RECOMMENDATION TO AWARD INVITATION FOR BID (IFB) 16-21, USDA REGULATED GARBAGE SERVICES (CON'T)**

and indemnity clarification in Section 5.1 of the General Conditions. These are included as Attachment D (copy on file). Based on review by legal counsel for the Aviation Authority these changes are acceptable. The requested modifications should not have affected the bid pricing.

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 for this item. Chairman Friel then followed by asking legal counsel to confirm that these modifications are in fact acceptable. Ms. Thacker confirmed that both Mr. Dan Gerber, Interim General Counsel for the Aviation Authority, and herself reviewed the requested changes and found them to be acceptable Ms. Thacker did not believe the changes would affect the bid price. He then asked if any Committee member had questions or comments. In response to Mr. Engle's question regarding who is the incumbent on this contract, Mr. Gant responded that the incumbent is Stericycle, Inc. Furthermore, Mr. Gant stated that this is a new process and there is not an established price. Following, Mr. Engle pointed out the significant difference in bid amounts and inquired if there was a known reason for such difference. Mr. Gant indicated that it is possible that the difference in bid amount is due to Covanta having their own facility and equipment, but this information is not confirmed.

Chairman Friel asked if there were any further questions or comments with regard to this item. There was no response to his inquiry.

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

**INFORMATION ITEM**

5. Chairman Friel communicated that the Information Item is a revised Finance Form [New Business Item A from the March 22, 2021, Concessions/Procurement Committee Meeting] requested by the Committee. There were no questions or comments regarding this item.

**ADJOURNMENT**

6. Chairman Friel asked if there was further business to discuss before the Committee. Having no further business to discuss, she adjourned the meeting at 1:49 p.m.

*(Digitally signed on May 5, 2021)*



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Larissa Bou  
Recording Secretary



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Brad Friel  
Chairman