



OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT
Governmental Center Annex

115 S. Andrews Avenue, Room A680 • Fort Lauderdale, Florida 33301 • 954-357-6400 • FAX 954-357-5674

MEMORANDUM

DATE: June 27, 2022

TO: Windelle Jean- Pierre, Senior Purchasing Agent
Purchasing Division

THRU: Sandy-Michael McDonald, Director
Office of Economic and Small Business Development

FROM: Maribel Feliciano, Assistant Director
Office of Economic and Small Business Development

RE: **Bid No. TRN2123318C1- Enhancement and Retrofit Projects for Ravenswood Transit Facility**
Revised County Business Enterprise (CBE) Evaluation

SANDY-MICHAEL MCDONALD
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Date: 2022.06.27 11:13:17 -04'00'

MARIBEL FELICIANO
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Date: 2022.06.27 11:04:19 -04'00'

This memorandum supersedes the March 14th, 2022 memorandum.

The following is an update regarding the Office of Economic and Small Business Development's (OESBD's) review process for compliance with the 25% CBE goal for the above-referenced contract. In March of 2022, OESBD received and reviewed one (1) bid from A & P Contracting, Inc. (A&P Contracting) who submitted a CBE Letter of Intent (LOI) committing to 18.5% CBE participation with Conengineers Builders, LLC. During the negotiation phase, the user agency requested a Voluntary Price Reduction (VPR) from the prime contractor. In response to the user agency's VPR request, Task No. 4 was removed entirely from the prime contractor's bid for the project to remain on budget. The scope of work that was elected to be removed was assigned to Conengineers Builders, LLC for 18.5% CBE participation. As a result of the removal of the assigned task for CBE participation, the Purchasing Division granted A & P Contracting, Inc. an additional three (3) business days to conduct outreach efforts and put together a subcontractor team to garner CBE participation. During the compliance period, A & P Contracting, Inc. submitted CBE Letters of Intent (LOIs) totaling 8.5% CBE Participation. An overview is provided as follows:

The CBE Goal for this project: 25%

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Met the CBE Requirements:

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
A & P Contracting, Inc. (prime)		
Gomez and Son Fence Co.	CBE	1.0%
Roberts Traffic Marking	CBE	1.1%
Southland Painting Corporation	CBE	6.4%
	Total:	8.5%

- Contractor's Bid Amount: \$1,379,425.00
- CBE Participation Commitment: 8.5%

The LOIs were provided within the required three-day period totaling 8.5% CBE Participation which is 16.5% short of the 25% CBE Participation goal for this project. The firm also submitted proof of their good faith efforts. Section 1-81.5 (d) (2), as amended, of the Small Business Opportunity Act considers the following to be taken under consideration when determining a bidder's good faith efforts in terms of demonstrating maximum effort to meet CBE Participation:

- Soliciting through activities such as attendance at pre-bid meetings, advertising, or written notices the interest of certified CBEs that have the ability and capacity to perform the contract work.
- Identifying the portions of the contract that could be reasonably performed by a CBE in order to increase the likelihood that CBE goals will be achieved.
- Providing each interested CBE with adequate information about the plans, specifications and requirements of the contract in a timely manner.
- Negotiating in good faith with each interested CBE

A & P Contracting, Inc. provided the following information to address the above-mentioned criteria for determining the maximum good faith effort:

- A & P Contracting, Inc. sent bid invitations to CBE certified firms for all of the contract disciplines which included the following: Commercial Building Construction, Concrete Repair, Electrical, Mechanical and Painting. A total of forty (40) firms.
- The CBE firms were given three (3) days to respond to bid invitation which expired on June 17th, 2022.
- Out of the forty (40) bid invitations sent to CBE firms, A & P Contracting received three (3) bid quotes from the following CBE subcontractors: Gomez and Son Fence Co.; Roberts Traffic Marking and Southland Painting Corporation totaling 8.5% CBE participation. They also provided responses from the firms who did not submit bids in the form of E-Mail and /or Telephone logs.

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Compliance Comments (cont.):

Upon review of A & P Contracting's good faith efforts, OESBD has determined that the firm met the quality, quantity, and extent in their various efforts to meet the goal for this solicitation in accordance with Section 1.81.5 (d) (2) of the Broward County Business Opportunity Act, as amended. Therefore, it is determined that A & P Contracting, Inc. has submitted an acceptable Good Faith Effort with the CBE requirements of the solicitation.

cc: Donna-Ann Knapp, Small Business Development Manager, OESBD
James Vose, Jr., Small Business Development Specialist, OESBD