



OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT
Governmental Center Annex

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

MEMORANDUM

DATE: January 22, 2024

TO: Melissa Cuevas, Purchasing Agent Senior Supervisor
Purchasing Division

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

SANDY-MICHAEL MCDONALD
Digitally signed by SANDY-MICHAEL MCDONALD
Date: 2024.01.25 12:24:53 -05'00'

FROM: Donna-Ann Knapp, Small Business Development Manager
Office of Economic and Small Business Development

DONNA-ANN KNAPP
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Date: 2024.01.23 18:00:24 -05'00'

**RE: Bid No. PNC2126562C1- Airport Terminal Connector Project 2023
Disadvantaged Business Enterprise (DBE) Evaluation**

The Office of Economic and Small Business Development (OESBD) has conducted a review of the respondent's compliance with the DBE requirements for this solicitation. DBE participation for this solicitation is calculated on the base bid amount. One (1) bid was received and reviewed. An overview is provided as follows:

The DBE Goal for this project: 25%

Met the CBE Requirements:

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
Tutor Perini Building Corp (prime)		
Cherokee Enterprises, Inc.	DBE	0.60%
Commercial Interior Contractors Corp	DBE	0.34%
Davis Freight Management, Inc.	DBE	0.05%
Francis Engineering, Inc.	DBE	1.45%
Jordim International, Inc.	DBE	0.72%
Low Voltage Systems, Inc.	DBE	1.30%
Roberts Traffic Marking Corp	DBE	0.33%
Trade Solutions, LLC dba Pronto Construction Developers	DBE	1.50%
	Total:	6.29%

Contractor's Bid Amount: \$215,671,777.00

DBE Participation Commitment: 6.29%

DBE Bid Evaluation
Bid No. PNC2126562C1- Construction of Airport Terminal Connectors (2023)

Compliance Comments:

Tutor Perini Building Corp. (Tutor Perini), initially submitted DBE Letters of Intent (LOIs) with its bid response package that contained missing information and calculation errors. The cumulative DBE participation reflected on these LOIs was also less than the established DBE goal. The firm was given three (3) business days to provide corrected LOI forms that meet the established goal or provide documentation of its good faith efforts made to meet the goal. Tutor Perini Building Corp submitted eight (8) DBE Letters of Intent (LOIs) within the stipulated three-day period for the following DBE subcontractors: Cherokee Enterprises, Inc.; Commercial Interior Contractors; Davis Freight Management, Inc.; Francis Engineering, Inc.; Jordim International, Inc.; Low Voltage Systems, inc.; Roberts Traffic Marking Corp and Trade Solutions, LLC dba Pronto Construction Developers. The DBE participation on these LOIs total 6.29%. The proposed participation is 18.71% short of the established 25% goal for this project. In addition to these eight (8) LOIs, Tutor Perini also requested that their documented good faith efforts also be considered in conjunction with these LOIs.

Per the federal guidance concerning good faith efforts under the DBE Program, Title 49 of the Code of Federal Regulations Part 26, Appendix A, Section IV, D (49 CFR 26, Appendix A, (IV)(D)), *"It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation."* Evidence of such negotiation includes the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting. It also entails providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation with their offer for the subcontract and not rejecting a DBE as being unqualified without sound reason.

Tutor Perini submitted the following documentation in support of their Good Faith efforts during the previously mentioned three-day period:

- a. A bid the invitation log of 250 contractors, inclusive of scope descriptions identified for each firm and the respective vendor contact information. Each of these vendors were contacted through email and phone and were provide detailed information about the project, based on Tutor Perini's log. For those DBEs that could not be reached, messages were left, and follow-up emails were sent out. Of the 250 firms listed, 140 of these firms were DBEs.
- b. A public bidder's notice that was sent to the business community in November 2023 soliciting DBE participation. Of the overall companies solicited for bids, twenty-three (23) were listed as DBE. There was a timely deadline for the DBEs to respond and if interested, submit bids for this project. These twenty-three (23) DBE designated companies were invited and twelve (12) responded to the invitation. Out of the firms that responded, there were nine (9) who were seriously considered and

DBE Bid Evaluation

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agreed to bid. Out of the DBE companies that agreed to bid, eight (8) proposals were submitted.

c. Tutor Perini's submitted documentation also proposed to use the following non-DBE-certified small businesses:

- County Business Enterprise (CBE): 10 firms representing 12% of the overall project cost, valued at \$25 million.
- Small Business Enterprise (SBE): 7 firms representing 5% of the overall project cost, valued at \$11 million.
- Minority Business Enterprise (MBE): 4 firms representing 2% of the overall project cost, valued at \$5 million.
- Women Business Enterprise (WBE): 3 firms representing 2% of the overall project cost, valued at \$5 million.
- Historically Underutilized Business (HUB): 1 firm representing 2% of the overall project cost, valued at \$3 million.

d. Tutor-Perini also presented DBE entities that are sub-tiered under other proposed subcontractors, such as those for the electrical/low voltage trade. Furthermore, the Project includes specified manufacturers, in the case, the baggage handling equipment, which limited opportunities for subcontracting in these scopes.

Tutor Perini Building Corp. has provided sufficient documentation of the quality, quantity, and intensity of their Good Faith Efforts, within the requested time frame. Therefore, Tutor Perini Building Corp is in compliance with the DBE requirements of this solicitation.

cc: Maribel Feliciano, Assistant Director, OESBD
Staci Montefusco, Expansion Project Manager, BCAD
Ketsia Harrigan, Small Business Development Specialist, BCAD/OESBD