



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: August 23, 2023

TO: Julian Diaz, Transit Maintenance Superintendent
Broward County Transit Maintenance Office

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

SANDY-MICHAEL MCDONALD
Digitally signed by SANDY-MICHAEL MCDONALD
Date: 2023.08.24 14:40:41 -04'00'

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

DONNA-ANN KNAPP
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Date: 2023.08.23 17:01:01 -04'00'

SUBJECT: Bid No. TRN2126846B1 – Pest Control Services – Buses and Vehicles (CBE)
Compliance Evaluation

The Office of Economic and Small Business Development (OESBD) conducted a review of the respondents' compliance with the CBE Program requirements for the above referenced solicitation. An overview is provided as follows:

This solicitation is a Reserve Opportunity for CBE firms.

*The following **CBE-certified firms** submitted Letters of Intent (LOIs) and met the CBE Reserve requirements:*

| <u>Firm</u> | <u>Category</u> | <u>Percentage</u> |
|-----------------------------------|-----------------|-------------------|
| X Terminator, Inc. (Prime) | CBE | 100% |

Contractor's Bid Amount: \$354,758.00
CBE Participation Commitment: 100%

| | | |
|---|-----|------|
| Orange Pest Control Services, Inc. (Prime) | CBE | 100% |
|---|-----|------|

Contractor's Bid Amount: \$411,000.00
CBE Participation Commitment: 100%

Pursuant to Section 1-81.3(f) of the Broward County Business Opportunity Act (the Act) as amended, when a CBE reserve is established in connection with a County solicitation, CBEs and non-CBEs may respond to the solicitation. If a CBE with the capacity to perform

the work submits a responsive and responsible bid or proposal, the work will be awarded to the CBE that submits the lowest responsive and responsible bid or the highest-ranked responsive and responsible proposal. If no CBE firm with capacity to perform the work submits a responsive and responsible bid, a non-CBE with the lowest responsive responsible bid or the highest-ranked responsive and responsible proposal, as applicable may be awarded the contract.

The following **non-CBE certified firms** responded to the solicitation.

| <u>Firm</u> | <u>Category</u> | <u>Percentage</u> |
|---|------------------------|--------------------------|
| Beach Environmental (Prime) Contractor's Bid Amount: \$539,000.00 CBE Participation Commitment: 100% | Non-CBE | 0% |
| Florida Pest Control (Prime) Contractor's Bid Amount: \$3,380,00.00 CBE Participation Commitment: 0% | Non-CBE | 0% |
| On Brand Pest Management (Prime) Contractor's Bid Amount: \$31,850.00 CBE Participation Commitment: 0% | Non-CBE | 0% |
| Orkin (Prime) Contractor's Bid Amount: \$540,250.00 CBE Participation Commitment: 0% | Non-CBE | 0% |
| Pestmaster (Prime) Contractor's Bid Amount: \$320,054.00 CBE Participation Commitment: 0% | Non-CBE | 0% |

CBE Bid Evaluation
TRN2126846B1 – Pest Control Services – Buses and Vehicles

| <u>Firm</u> | <u>Category</u> | <u>Percentage</u> |
|---|-----------------|-------------------|
| Stark Exterminators (Prime) Contractor's Bid Amount: \$166,250.00 CBE Participation Commitment: 0% | Non-CBE | 0% |
| Terminix Commercial (Prime) Contractor's Bid Amount: \$228,887.50 CBE Participation Commitment: 0% | Non-CBE | 0% |
| Tower Pest Control (Prime) Contractor's Bid Amount: \$193,508.00 CBE Participation Commitment: 0% | Non-CBE | 0% |

CBE Compliance Comments:

The Broward County using agency has stated that the successful vendor is required to self-perform 100% of the work. Of the ten (10) firms that responded to the solicitation, eight (8) were non-CBEs. (*Beach Environment, Florida Pest Control, On Brand Pest Management, Orkin, Pestmaster, Stark Exterminators, Terminix Commercial, and Tower Pest Control.*).

The remaining two (2) responders are currently certified as CBEs - *Orange Pest Control, Inc. (Orange PC)* and *X Terminator, Inc. (Xterminator)*. Orange PC and Xterminator initially did not provide executed LOIs with their respective solicitation responses. The two (2) firms were given three (3) business days to provide executed LOI's reflecting that they will each self-perform the entire scope of work as CBE-certified firms. Orange PC and Xterminator submitted the executed LOIs within the required three-day period and are deemed compliant with the CBE Program requirements of the solicitation.

Pursuant to Section 1-81.3(f) of the Broward County Business Opportunity Act (the "Act") on solicitations Involving reserves, "when a CBE Reserve is established in connection with a County solicitation, CBEs and nonCBEs may respond to the solicitation. If a CBE with capacity to perform the work submits a responsive and responsible Bid or Proposal, the work will be awarded to the CBE that submits the lowest responsive and responsible Bid, or the highest-ranked responsive and responsible Proposal, subject to the conditions stated below (and consistent with all applicable terms and conditions of the County's Procurement Code and subject to entering into an agreement acceptable to the County). The CBE with the lowest responsive and responsible Bid, or with the highest-ranked

responsive and responsible Proposal, as compared to all other CBEs (the "CBE Presumptive Awardee"), shall be awarded the contract if the CBE Presumptive Awardee meets the following requirements, as applicable:

(1) Monetary Differential: The total Bid or Proposal amount of the CBE Presumptive Awardee: (a)(i) does not exceed Three Million Dollars (\$3,000,000) and (ii) does not exceed the total amount of the lowest responsive and responsible Bid, or the total amount of the highest-ranked responsive and responsible Proposal, as applicable, from a non-CBE by more than ten percent (10%); or (b)(i) exceeds Three Million Dollars (\$3,000,000) and (ii) does not exceed the total amount of the lowest responsive and responsible Bid, or the total amount of the highest-ranked responsive and responsible Proposal, as applicable, from a non-CBE by more than five percent (5%); and

(2) Points Differential: For competitive solicitations in which the Proposals are assigned point totals, after deducting the points awarded for price from the total points awarded to each applicable Proposal, the total points assigned to the CBE Presumptive Awardee: (a) for Proposals that do not exceed Three Million Dollars (\$3,000,000), are not more than ten percent (10%) less than the total points assigned to the highest-ranked responsive and responsible non-CBE; or (b) for Proposals that exceed Three Million Dollars (\$3,000,000), are not more than five percent (5%) less than the total points assigned to the highest-ranked responsive and responsible non-CBE.

If the CBE Presumptive Awardee does not meet the above requirements, as applicable, then the CBE with the next lowest responsive and responsible Bid, or the next highest-ranked responsive and responsible Proposal, as compared to all other CBEs, will be deemed the CBE Presumptive Awardee, and awarded the contract if the CBE Presumptive Awardee meets the above requirements, as applicable. If no CBE Presumptive Awardee meets the above requirements, as applicable, the award shall be made to the non-CBE that submits the lowest responsive and responsible Bid, or the highest-ranked responsive and responsible Proposal, provided the Director of Purchasing determines the total amount of the Bid or Proposal is fair and reasonable, unless (a) the Director of OESBD issues a written determination that re-solicitation with modified specifications is likely to result in one or more Bids or Proposals from CBEs that would be eligible to receive the contract award; and (b) the Director of Purchasing issues a written determination that the delay occasioned by re-solicitation would not materially harm the County's interests.

cc: Maribel Feliciano, Assistant Director, OESBD
Geoffrey Simmons, Small Business Development Specialist (Trainee), OESBD