



**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 6, 2023

TO: Natasha Terrell, Human Resources Manager
Human Resources Division

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

SANDY-MICHAEL MCDONALD
Digitally signed by SANDY-MICHAEL MCDONALD
Date: 2023.01.12 16:53:47 -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: 2023.01.12 16:27:32 -05'00'

**SUBJECT: Bid No. GEN2124965B1 - Temporary Personnel Services
County Business Enterprise (CBE) Reserve Evaluation**

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

Bid No. GEN2124965B1 - CBE Reserve Evaluation

The following **certified County Business Enterprises (CBEs)** met the CBE Reserve requirements for **Temporary Personnel Services**:

<u>Firms</u>	<u>Category</u>	<u>Percentage</u>
WolfCreek Consulting, Inc.	CBE	100%
4 Best Business Corp. d/b/a 4BBCorp.	CBE	100%
Authenus Staffing, LLC.	CBE	100%
COCHHBHA Enterprises, Inc. dba CEI STAFFING	CBE	100%
Tech Army, LLC.	CBE	100%

The following **non-certified firms** submitted Letters of Intent (LOI) and met the CBE Reserve requirements for **Temporary Personnel Services**:

<u>Firms</u>	<u>Category</u>	<u>Percentage</u>
Enterprise Solutions, Inc.	non-CBE	
Global Crew Services, LLC.	CBE	25%
Total CBE Participation Commitment		25%
The Remas Staffing Company, LLC.	non-CBE	
Global Crew Services, LLC.	CBE	25%
Total CBE Participation Commitment		25%
Alpha1 Staffing, LLC.	non-CBE	
Authenus Staffing, LLC.	CBE	25%
Total CBE Participation Commitment		25%
Ad-Vance Talent Solutions, Inc.	non-CBE	
Sales Wave, LLC DBA Fonte	CBE	25%
Total CBE Participation Commitment		25%
Abacus Corporation	non-CBE	
SLSP Consultants	CBE	25%
Total CBE Participation Commitment		25%
Tryfacta, Inc.	non-CBE	
Entech Network Solutions, LLC	CBE	25%
Total CBE Participation Commitment		25%
KeyStaff, Inc.	non-CBE	
Cochhbha Enterprises, Inc. dba CEI Staffing	CBE	25%
Total CBE Participation Commitment		25%
ZenTech Consulting, LLC.	non-CBE	
SLSP Consultants	CBE	25%
Total CBE Participation Commitment		25%
CareersUSA, Inc.	non-CBE	
Authenus Staffing, LLC	CBE	25%
Total CBE Participation Commitment		25%

<u>Firms</u>	<u>Category</u>	<u>Percentage</u>
Infojini, Inc.	non-CBE	
SLSP Consultants	CBE	25%
Total CBE Participation Commitment		30%
SunPlus Data Group, Inc.	non-CBE	
ELJenn Solutions, Inc.	CBE	25%
Total CBE Participation Commitment		25%

Compliance Comments:

The following **CBE firms** submitted Letters of Intent (LOI) for Bid No. GEN2124965B1 and are in compliance with the CBE Reserve requirements of this agreement.

- **4 Best Business Corp. d/b/a 4BBCorp**
- **WolfCreek Consulting, Inc.**
- **Authenus Staffing, LLC.**
- **Cochhbha Enterprises, Inc.**
- **Tech Army, LLC.**

4 Best Business Corp. d/b/a 4BBCorp submitted a Letter of Intent (LOI) with their bid response that met the solicitation requirements.

WolfCreek Consulting, Authenus Staffing, Cochhbha Enterprises, and Tech Army did not provide LOIs with their respective bid responses. These firms were given (3) business days to provide LOI forms, executed with CBE firms that meet at least 25% CBE participation, and/or provide proof of their good faith efforts to do so within the required timeframe. WolfCreek Consulting, Authenus Staffing, Cochhbha Enterprises, and Tech Army each provided LOIs that reflect at least 25% CBE participation and are compliant with the solicitation’s CBE Program requirements.

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 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 with at least a twenty-five percent (25%) CBE goal (unless the CBE goal is waived or otherwise modified by Board action), or the county may reject all bids and responses submitted.

The following **non-CBE firms** submitted Letters of Intent (LOI) with at least 25% CBE participation commitment for Bid No. GEN2124965B1:

- Enterprise Solutions, LLC.
- The Remas Staffing Company, LLC.
- Alpha1 Staffing, LLC.
- Ad-Vance Talent Solutions, Inc.
- Abacus Corporation
- Tryfacta, Inc.
- KeyStaff, Inc.
- ZenTech Consulting, LLC.
- CareersUSA, Inc.
- Infojini, Inc.
- SunPlus Data Group, Inc.

Enterprise Solutions, Inc. submitted a Letter of Intent (LOI) with their bid response that met at least 25% CBE participation.

The Remas Staffing Company, Alpha1 Staffing, Ad-Vance Talent Solutions, Abacus Corporation, Tryfacta, KeyStaff, ZenTech Consulting, CareersUSA, Infojini, and SunPlus Data Group did not provide LOIs with their solicitation documents. These firms were given (3) business days to submit LOI forms, executed with CBE firms that meet at least 25% CBE participation, and/or provide proof of their good faith efforts to do so, which they did within the required timeframe.

The following **non-CBE firms** did not submit Letters of Intent (LOI) with at least 25% CBE participation commitment for Bid No. GEN2124965B1:

- JobSquad
- Compunnel Software Group, Inc.
- RADgov, Inc.
- Power Resources and Financial Services
- BuzzClan
- MSW Staffing
- Staff Today, Inc. (STI)
- Personnel Solutions Plus
- Qwalifize, LLC.
- Legacy Professional Solutions
- Adams Enterprise USA, Inc.
- Moten Tate, Inc.
- Just Write, Inc.
- AP Recruiters & Associates
- StaffEZ of Florida
- P2P Staffing Corp dba TekPartners
- Rite Software Solutions & Services
- Swift Strategic Solutions, Inc.

JobSquad, Compunnel Software Group, RADgov, Power Resources and Financial Services, BuzzClan, Staff Today Inc, Legacy Professional Solutions, Adams Enterprise USA, Moten Tate, Just Write, AP Recruiters & Associates, Rite Software Solutions & Services, Swift Strategic Solutions, all non-CBE firms, initially did not submit a CBE LOI reflecting their committed CBE participation. The firms were given three (3) business days to provide their corrected CBE commitment on the required LOI form and/or provide proof of their good faith efforts. The LOI's were not submitted within the required three-day period. Therefore, these firms are not in compliance with the CBE reserve program requirements of the solicitation.

MSW Staffing is not compliant with the CBE program requirements of the solicitation. The firm did not provide an executed LOI with a CBE firm. MSW Staffing was given three (3) business days to provide completed LOIs and/or supporting documentation demonstrating their good faith efforts to meet the goal. The firm submitted a completed LOI reflecting that it would self-perform 100% as a certified CBE firm on the contract. However, the firm is not CBE-certified.

MSW Staffing submitted a completed Application for Evaluation of Good Faith Efforts Form but did not provide any documentation to support their good faith effort. Therefore, OESBD has determined that MSW Staffing is non-compliant with the CBE program requirements of the solicitation.

P2P Staffing Corp dba TekPartners is not compliant with the CBE program requirements of the solicitation. The firm did not provide executed LOIs with the solicitation. The firm was given three (3) business days to provide completed LOIs and/or supporting documentation demonstrating their good faith efforts to meet at least a 25% CBE goal. The firm submitted an executed LOI with itself to self-perform 100% of the contract. However, this firm is not CBE-certified. The firm did not provide supporting documentation of its good faith efforts. Therefore, P2P Staffing Corp dba TekPartners is not compliant with the CBE program requirements of the solicitation.

StaffEZ of Florida is not compliant with the CBE program requirements of the solicitation. The firm did not provide executed LOIs with their solicitation response. The firm was given three (3) business days to provide completed LOIs and/or supporting documentation demonstrating their good faith efforts to meet the goal. The firm submitted an executed LOI with itself to self-perform 25% as a certified CBE firm on the contract. However, the firm is not CBE-certified. The firm did not provide supporting documentation of its good faith efforts to meet at least a 25% goal. Therefore, StaffEZ of Florida is not compliant with the CBE program requirements of the solicitation.

Personnel Solutions Plus, is not compliant with the CBE program requirements of the solicitation. The firm did not provide executed LOIs with the solicitation. The firm was given three (3) business days to provide completed LOIs and/or supporting documentation demonstrating their good faith efforts to meet the goal. The firm submitted a blank LOI with no subcontractor listed. The firm did not provide additional supporting documentation of its good faith efforts to meet at least a 25% CBE goal. Therefore, Personnel Solutions Plus is not compliant with the CBE program requirements of the solicitation.

Qualifize is not compliant with the CBE program requirements of the solicitation. The firm did not provide an executed LOI with the solicitation. The firm was given three (3) business days to provide their corrected CBE commitment on the required LOI form and/or provide proof of their good faith efforts. The LOI was not submitted within the required three-day period. Qualifize did not submit a completed Application for Evaluation of Good Faith Efforts form but did provide some documentation to be evaluated in support of their good faith efforts.

Section 1-81.5(d)(2) of the Broward County Business Opportunity Act, as amended, includes the following actions to be taken under consideration when determining a bidder's good faith efforts in terms of demonstrating maximum effort to meet the CBE goal:

- a. 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.
- b. Identifying the portions of the contract that could be reasonably performed by a CBE to increase the likelihood that CBE goals will be achieved.
- c. Providing each interested CBE with adequate information about the plans, specifications, and requirements of the contract in a timely manner.
- d. Negotiating in good faith with each interested CBE firm.
- e. Documentation rejecting an interested CBE as being unqualified only after diligently investigating the CBE's capabilities and documenting the reasons justifying such rejection.

Qwalifize provided the following documentation to support its good faith efforts:

- a. A list of four (4) certified temporary services CBE firms that were contacted.
- b. Copies of email invitations, with scope of work description included, provided to the four (4) CBE firms.
- c. Copies of email correspondences provided to the CBE firms with instructions referencing page numbers for plans.

Upon further review of Qwalifize's good faith effort, OESBD has determined that the firm did not meet the quality, quantity, and extent in their efforts to meet the goal in accordance with Section 1-81.5 of the Broward County Business Opportunity Act (the "Act"), as amended.

Qwalifize did not provide the following supporting documentation to support their good faith effort:

- a. Providing each interested CBE with adequate information about the plans, specifications, and requirements of the contract in a timely manner. All documentation sent to CBEs by the prime were sent after the bid ended and during the three-day period.
- b. Documentation to support negotiation in good faith with each interested CBE firm to perform the work. The outcome of the prime contacting the four CBE firms was not provided.
- c. Documentation rejecting any interested CBE firms as unqualified and justification for the rejection. A reason for not reaching an agreement with any of the four CBEs listed, was not provided.

Additionally, per Section 1-81.5 (d) (3) of the "Act", In determining whether a Bidder has made Good Faith Efforts, the Program Director may also consider the level of CBE participation proposed by other bidders as well as any representations made by the bidder during the bid, proposal, or selection phases of the procurement regarding the bidder's commitment to attain the CBE goal. The CBE participation proposed by Qwalifize does not commensurate with the level

of CBE participation proposed by the other bidders. At least eleven non-CBE firms met or exceeded at least a 25% CBE goal.

Therefore, OESBD has determined that Qwalifize is non-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 nonCBE 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 nonCBE 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 nonCBE; 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 nonCBE.

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 nonCBE 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 resolicitation 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 resolicitation would not materially harm the County's interests.

If a nonCBE is awarded the contract because no CBE with capacity to perform the work submits a responsive and responsible Bid or Proposal, or because no CBE meets the applicable requirements stated above, any contract awarded to a nonCBE must include at least a twenty-five percent (25%) CBE goal (unless the CBE goal is waived or otherwise modified by Board action).

cc: Maribel Feliciano, Assistant Director, OESBD
Darnell Kimbrew, Small Business Development Specialist, OESBD
