



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: April 29, 2020

TO: Nancy Olesen, Senior Purchasing Agent
Purchasing Division

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

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

RE: **Bid No. PNC2120349C1- 1B2 Elevated Steel Tank Demolition
County Business Enterprise (CBE) Review**

The Office of Economic and Small Business Development (OESBD) has conducted a review of the respondent's CBE participation for the above referenced contract. CBE Participation for this solicitation is calculated on the base bid amount. Three (3) bids were received and reviewed. An overview is provided as follows:

The CBE Goal for this project: 28%

Did meet the CBE Requirements

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
The BG Group, LLC (prime) Sun Up Enterprises, Inc.	CBE	28%

- Contractor's Bid Amount: \$734,471.65
- CBE Participation Commitment: 28%

Did not meet the CBE Requirements

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
Royal Bridge, Inc. (prime)	Non-CBE	0%

- Contractor's Bid Amount: \$399,765.00
- CBE Participation Commitment: 0%

Did not meet the CBE Requirements (cont.)

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
Tank Rehab (prime) Air Quest Environmental, Inc.	CBE	15%

- Contractor's Bid Amount: \$806,500.00
- CBE Participation Commitment: 15%

Compliance Comments:

The BG Group, LLC initially did not submit an executed CBE Letter of Intent (LOI) with their bid package. The firm was given three (3) business days to provide their CBE commitment on the required LOI form and/or provide documentation of their good faith efforts. The firm submitted an LOI totaling 28% CBE participation; therefore, The BG Group, LLC is compliant with the CBE program requirements for this solicitation.

Royal Bridge, Inc. initially did not submit an executed CBE Letter of Intent (LOI) with their bid package. The firm was given three (3) business days to provide their CBE commitment on the required LOI form and/or provide documentation of their good faith efforts. The firm submitted a blank CBE Letter of Intent (LOI) totaling 0% participation and 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:

- 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 in order 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

Royal Bridge, Inc. did not provide the following in order to satisfy the Good Faith Effort (GFE) standard for this project:

- a. Royal Bridge, Inc. did not provide proof of identifying all portions of this contract that could be performed by a CBE firm in order to increase the likelihood that CBE goals will be achieved.

Upon review of Royal Bridge Inc.'s good faith efforts, OESBD has determined that they did not meet 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 of 2012, as amended. Therefore, Royal Bridge, Inc. is not in compliance with the CBE program requirements for this solicitation.

Compliance Comments (cont.):

Tank Rehab initially did not submit an executed CBE Letter of Intent (LOI) with their bid package. The firm was given three (3) business days to provide their CBE commitment on the required LOI form and/or provide documentation of their good faith efforts. An LOI was provided within the required three-day period totaling 15% CBE Participation which is 13% short of the 28% 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:

- 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 in order 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

Tank Rehab did not provide the following in order to satisfy the Good Faith Effort (GFE) standard for this project:

- a. Tank Rehab did not advertise this project to the local business community.
- b. Tank Rehab provided bid information to just six (6) of the eighty-six (86) CBE firms identified to participate on this project.

Upon review of Tank Rehab's good faith efforts, OESBD has determined that they did not meet 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 of 2012, as amended. Therefore, Tank Rehab is not in compliance with the CBE program requirements for this solicitation.

cc: John Morra, Expansion Project Administrator, WWS
James Vose, Jr., Small Business Development Specialist, OESBD