



**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 1, 2025

**TO:** Nancy Olesen, Assistant Manager  
Broward County Purchasing Division

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

MARIBEL FELICIANO Digitally signed by MARIBEL FELICIANO  
Date: 2025.08.01 17:50:14  
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**FROM:** Donna-Ann Knapp, Small Business Development Manager  
Office of Economic and Small Business Development

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Date: 2025.08.01 17:46:56  
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**SUBJECT:** PNC2129696P1 – Engineering Design Services for Shore Power Electrification for Port Everglades County Business Enterprise (CBE) Compliance Evaluation

***This memorandum supersedes the previous memorandum dated July 14, 2025.***

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:

**CBE Goal for this project: 25%**

**Met the CBE Requirements:**

<u>Firms</u>	<u>Category</u>	<u>Percentage</u>
<b>Hatch Associates Consultants, Inc. (Prime)</b>		
PSA Constructors	Non-CBE	
AREHNA Engineering, Inc.	CBE	12.0%
Dickey Consulting Services, Inc.	CBE	8.0%
	CBE	<u>6.0%</u>
	<b>Total</b>	<b>26.0%</b>
<b>Moffatt &amp; Nichol (Prime)</b>		
Dickey Consulting Services, Inc.	Non-CBE	
Duland Design, LLC	CBE	4.0%
Federal Engineering & Testing, Inc.	CBE	2.0%
Ligna and Associates	CBE	4.0%
ML Engineering & Inspection Services	CBE	5.0%
	CBE	<u>10.0%</u>
	<b>Total</b>	<b>25.0%</b>

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<u>Firms</u>	<u>Category</u>	<u>Percentage</u>
<b>AECOM Technical Services, Inc. (Prime)</b>	Non-CBE	
AREHNA Engineering, Inc.	CBE	2.0%
D3B, LLC	CBE	1.5%
Dickey Consulting Services, Inc.	CBE	1.5%
Hammond & Associates, Inc.	CBE	7.0%
HBC Engineering Company	CBE	1.8%
Longitude Surveyors, LLC	CBE	2.0%
Reina Engineering, LLC	CBE	2.2%
The Engineering Company, LLC	CBE	<u>7.0%</u>
	<b>Total</b>	<b>25.0%</b>

**Did not meet the CBE Requirements:**

**Firms**

<b>EC Fennell, Inc. (Prime)</b>	Non-CBE	
Thomas Geotechnical Services, LLC	CBE	<u>6.0%</u>
	<b>Total</b>	<b>6.0%</b>

**CBE Compliance Comments:**

**Hatch Associates Consultants, Inc.** submitted Letters of Intent (LOIs) executed with CBE vendors to demonstrate its intended CBE participation and has met the established CBE goal. Hatch Associates Consultants, Inc., is therefore compliant with the CBE requirements of the solicitation.

**Moffatt & Nichol, Inc.** submitted Letters of Intent (LOIs) executed with CBE vendors to demonstrate its intended CBE participation and has met the established CBE goal. Moffatt & Nichol, Inc. is therefore compliant with the CBE requirements of the solicitation.

**AECOM Technical Services, Inc.** submitted Letters of Intent (LOIs) executed with CBE vendors to demonstrate its intended CBE participation and has met the established CBE goal. AECOM Technical Services, Inc. is therefore compliant with the CBE requirements of the solicitation.

**EC Fennell, Inc.** submitted an Application for Evaluation of Good Faith Efforts (GFE) form and an LOI, executed with a CBE firm, with its solicitation response packet. However, the

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GFE form was simply signed by EC Fennell, Inc. (EC) and lacked supporting documentation. The LOI submitted by EC Fennell, Inc. was executed with a CBE that would account for a CBE participation of six percent (6%). The GFE packet did not have any documentation that demonstrated the firm's good faith efforts to meet the established CBE goal. OESBD gave the firm three (3) business days to submit an LOI executed with a CBE that meets the established participation goal or documentation demonstrating its good faith efforts to meet the established goal.

Section 1-81.5 (d) (2) of the Broward County Business Opportunity Act (the Act) as amended, 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 goals:

- 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.

EC Fennell, Inc. responded within the required timeframe and submitted a new GFE packet. The accompanying support documentation listed six (6) CBE vendors that were contacted by the prime vendor. The support documentation stated that some of the CBEs that were contacted are under an exclusive agreement with other prime contractors that submitted bids for this solicitation. EC Fennell, Inc. did not submit an overview of the information that was provided to the CBE vendors, did not specify whether there was a thorough investigation of the CBE firms' capabilities, and did not specify the work identified to be subcontracted to CBE firms.

In addition, four (4) prime vendors submitted responses to this solicitation, of which two (2) vendor responses met or exceeded the CBE goal requirement. Of the CBEs that EC Fennell, Inc. claimed to have contacted, none appeared on the executed LOIs of the other respondents' packets. Section 1-81.5 (d) (3) of the Act states: "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

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Bidder during the bid, proposal, or selection phases of the procurement regarding the Bidder's commitment to attain the CBE goal.”. EC Fennell, Inc. is therefore deemed non-compliant with the CBE Program requirements of the solicitation.

**CBE Compliance History:**

The following is a report of the respondents' CBE compliance history on active projects and projects completed within the last five (5) years of the RFP's opening date. The information is compiled from various sources including Contract Central, OESBD's Database (ALTs) and Monthly Utilization Reports (MURs):

**Moffatt & Nichol, Inc.:**

<b>Project Name</b>	<b>Solicitation Number</b>	<b>Amount Paid to CBE Firms*</b>
General Planning Consultant Services for Port Everglades	PNC2119264PP_1	\$98,631.90
<b>Total</b>		<b>\$98,631.90</b>

*\*Data excludes payments to subcontractors prior to May 8, 2020, and after May 8, 2025.*

**Hatch Associates Consultants, Inc.:** OESBD found no active or completed projects with CBE requirements within the last five years.

**AECOM Technical Services, Inc.:**

<b>Project Name</b>	<b>Solicitation Number</b>	<b>Amount Paid to CBE Firms*</b>
Port Everglades Master Plan	PNC2124755P1	\$59,404.11
BCAD Environmental Services2021	F1154201B1	\$6,945.00
Program Management Services for New South Runway, Terminal 4 Replacement	20080317-0AV-1	\$1,057,819.78
<b>Total</b>		<b>\$1,124,168.89</b>

*\*Data excludes payments to subcontractors prior to May 8, 2020, and after May 8, 2025.*

**EC Fennell, Inc.:** OESBD found no active or completed projects with CBE requirements within the last five years.

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**Performance of Affiliated Entities:**

The following is a report of the respondents' declared affiliated entities in meeting small business participation commitments on CBE projects completed within the last five (5) years of the RFQ's opening date. The information is compiled from various sources including Contracts Central and OESBD's Database (ALTs):

**Hatch Associates Consultants, Inc.** – No affiliated entities of principal(s) declared by vendor.

**Moffatt & Nichol, Inc.** – No affiliated entities of principal(s) declared by vendor.

**AECOM Technical Services, Inc.** – No affiliated entities of principal(s) declared by vendor.

**E.C. Fennell, Inc.** – No affiliated entities of principal(s) declared by vendor.

cc: Sandy McDonald, Director, OESBD  
Geoffrey Simmons, Small Business Development Specialist, OESBD