



OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT
Governmental Center Annex

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

DATE: February 5, 2025

TO: Windelle Jean-Pierre, Purchasing Assistant Manager
Broward County Purchasing Division

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

SANDY-MICHAEL MCDONALD
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Date: 2025.02.06 12:39:11 -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: 2025.02.05 17:38:53 -05'00'

SUBJECT: BID No. TRN2129032B1 2024 Transit Bus Stop Shelter Infrastructure and ADA Improvements- Surtax – CBE Compliance Review

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

The CBE goal for this project: 30%

Met the CBE Requirements:

<u>Firms</u>	<u>Category</u>	<u>Percentage</u>
FG Construction, LLC (Prime)		
FLG Services, Inc.	CBE	10%
J&D Concrete Works Corp.	CBE	20%
	Total	30%
C&I Construction and Design, Inc. (Prime)		
Praing Associates, Inc.	CBE	35%
	Total	35%

Met the CBE Requirements, Continued:

<u>Firms</u>	<u>Category</u>	<u>Percentage</u>
HC&E Group, Inc. (Prime) Advanced Service Management, Inc.	CBE Total	30% <hr/> 30%
Primus Construction Services, Inc (Prime)	CBE Total	60% <hr/> 60%
XPLO Group, LLC (Prime) BACO Engineering Contractor, Inc.	CBE Total	30% <hr/> 30%

Did not meet the CBE Requirements:

Arango Billboard & Construction Co. (Prime)	Non-CBE Total	0% <hr/> 0%
Emerald Construction Corporation (Prime)	Non-CBE Total	0% <hr/> 0%

CBE Compliance Comments:

FG Construction Services provided Letter(s) of Intent, (LOIs) that meet the assigned CBE goal, and is, therefore compliant with the CBE Program requirements.

Arango Billboard & Construction Co., LLC, C&I Construction and Design, Inc, Emerald Construction Corporation, HC&E Group, Inc., Primus Construction Services, Inc., and XPLO Group, LLC did not provide LOIs or documentation of their respective Good Faith Efforts to meet the CBE Goal. Each of these six vendors were given three (3) business days to submit LOI(s), executed with CBE firms that meet the CBE goal, or documentation of Good Faith Efforts made to meet the goal.

C&I Construction and Design, Inc, HC&E Group, Inc., Primus Construction Services, Inc., and XPLO Group, LLC each responded within the three-day period with LOIs that meet the goal and are, therefore, compliant with the CBE program requirements of the solicitation.

Arango Billboard & Construction Co., failed to provide Letters of Intent or documentation of Good Faith Efforts to meet the goal within the stipulated three-day period and is, therefore, non-compliant with the CBE Program Requirements of the solicitation.

Emerald Construction Corporation did not provide letters of Intent that meet the goal. However, the vendor submitted an Evaluation of Good Faith Efforts form, and copies of email correspondence with CBE vendors. OESBD's evaluation of the quality, quantity and extent of Emerald Construction Corporation's documented good faith efforts to satisfy the established CBE goal is as follows.

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.

Emerald Construction Corporation failed to demonstrate the following:

- a. The prime vendor failed to provide CBE firms with sufficient time to provide a response. The solicitation was open from September 21, 2024, until December 30, 2024. The vendor's submitted documentation indicated that it only requested quotes from CBEs on January 14, 2025, through January 15, 2025.
- b. The vendor failed to negotiate in a good faith with interested CBEs. The vendor received a single response from a CBE firm but determined its quote was too high and chose to self-perform the scope.
- c. Five (5) out of seven (7) bidders provided LOIs that meet or exceed the established CBE Goal.

OESBD has determined, in accordance with Section 1.81.5 (d) (2) of the Broward County Business Opportunity Act, that Emerald Construction Corporation did not meet the quality, quantity and extent of the CBE Program requirements in their various efforts to meet the goal for this solicitation. Emerald Construction Corporation is therefore deemed non-compliant with the CBE Program requirements of the solicitation.

cc: Maribel Feliciano, Assistant Director, OESBD
Laurina Gause, Small Business Development Specialist, OESBD