



OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT

Governmental Center Annex

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MEMORANDUM

DATE: September 18, 2017

TO: Carolyn Messersmith, Purchasing Agent
Purchasing Division

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

FROM: Christopher Atkinson, Assistant Director *CA*
Office of Economic and Small Business Development

SUBJECT: Bid No. #N2114404C1 – Miramar Parkway Fiber Optic Intersection
Improvements - County Business Enterprise (CBE) Compliance Evaluation

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

The CBE goal for this project is 26%.

Met the CBE Requirements:

<u>Firms:</u>	<u>Category</u>	<u>Percentage</u>
Horsepower Electric, Inc. (Prime) Aum Construction, Inc.	CBE	26%
Arc Electric, Inc. (Prime) CityTech Construction, Inc.	CBE	26%

Did Not Meet the CBE Requirements:

Firm:

Traffic Control Devices, Inc. (Prime)

Compliance Comments:

Horsepower Electric, Inc. is compliant with the CBE requirements of the solicitation by providing Letters of Intent (LOI) meeting the 26% CBE goal.

Arc Electric, Inc. submitted an incomplete Letter of Intent (LOI) form with its bid. The firm was provided three (3) business days to address the correctable defects. Arc Electric, Inc. corrected and submitted the LOI within the three (3) business days provided and is compliant with the CBE requirements of the solicitation.

Traffic Control Devices, Inc. did not submit completed and signed LOI forms for CBE subcontractors to meet the 26% CBE goal. The firm submitted an “Application for Evaluation of Good Faith Effort” form as proof of their good faith efforts to meet the CBE goal requirements for this solicitation. Traffic Control Devices, Inc. was given three (3) business days to provide additional documentation as proof of their good faith efforts made per Section 1-81.5(e)(2) of the Small Business Opportunity Act, which considers the following:

- a) Soliciting through activities such as attendance at pre-bid meetings, advertising, or written notices, the interest of certified CBEs (or CBEs eligible for certification) that have the ability and capacity to perform the contract work. The bidder must solicit this interest in a timely manner to allow the CBEs to respond to the solicitation. The bidder must take appropriate steps to follow up initial solicitations of CBEs.
- b) Identifying the portions of the contract that could reasonably be performed by a CBE in order to increase the likelihood that the 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.

Traffic Control Devices, Inc. did not provide the additional documentation as listed above to demonstrate proof of their good faith efforts. Therefore, Traffic Control Devices, Inc. is not in compliance with the CBE requirements for this solicitation.

Cc: Freddy Castillo, Small Business Development Manager, OESBD
Marcia Young, Small Business Development Specialist, OESBD