



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: January 23, 2018

TO: Nancy Olesen, Purchasing Agent
Purchasing Division

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

FROM: Freddy Castillo, Small Business Development Manager *FC*
Office of Economic and Small Business Development

**RE: Bid No. PNC2114505C1- High Service Pump Stations and Ground Storage Tanks
County Business Enterprise (CBE) Review**

The Office of Economic and Small Business Development (OESBD) has conducted a review of the respondents' CBE participation for the above referenced contract. CBE Participation for this solicitation is calculated on the base bid amount. Four (4) submittals were received and reviewed. An overview is provided as follows:

The CBE Participation for the contract: 30%

Met the CBE Requirements:

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
RJ Sullivan Corporation (prime)		
Amos Supply, Inc.	CBE	17.83%
Champion Controls, Inc.	CBE	7.88%
HVAC Sales & Service, Inc.	CBE	2.33%
Tropic Fence, Inc.	CBE	0.43%
Triple Nickel Paving, Inc.	CBE	1.55%
Total		30.02%

- Contractor's Bid Amount: \$18,840,000.00
- CBE Participation Commitment: 30.02%

Met the CBE Requirements (cont.)

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
Munilla Construction Management, LLC (prime)		
Pro Service Group, LLC	CBE	30.1%
• Contractor's Bid Amount: \$20,539,295.20		
• CBE Participation Commitment: 30.1%		
PCL Construction, Inc. (prime)		
Amos Supply, Inc.	CBE	6.57%
Champion Controls, Inc.	CBE	7.00%
Southland Painting Corporation	CBE	2.00%
Tropic Fence, Inc.	CBE	0.55%
Triple Nickel Paving, Inc.	CBE	<u>1.10%</u>
Total		17.22%
• Contractors. Bid Amount: \$21,516,064.00		
• CBE Participation Commitment: 17.22%		

Did not meet the CBE Requirements:

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
Daniel O' Connells Sons, Inc. (prime)	Non-CBE	0%
• Contractor's Bid Amount: \$24,000,000.00		
• CBE Participation Commitment: 0%		

Compliance Comments

RJ Sullivan Corporation and Munilla Construction Management, LLC have submitted the required documentation in accordance with the solicitation's requirements and are in compliance with the CBE program requirements.

PCL Construction, Inc. (PCL) failed to meet the CBE Participation goal for this contract. The firm was given three (3) days to provide proof of their good faith efforts. Section 1-81.5 (e) (2) of the Small Business Opportunity Act of 2012 considers the following to be taken under consideration when determining a bidder's good faith efforts in terms of demonstrating maximum effort to meet the CBE Participation:

- a. Soliciting through activities such as attendance at pre-bid meetings, advertising, or written notices the interest of certified CBEs (or eligible for certification) 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

Compliance Comments (cont.)

PCL Construction, Inc. provided the following information to address the above-mentioned criteria for determining a maximum good faith effort:

- a. PCL Construction, Inc. sent bid advertisements to the CBE community to inform them of the contract opportunity and invited them to submit bids.
- b. OESBD verified communication to the various CBE subcontractors and found that PCL Construction, Inc. had contacted them.
- c. PCL Construction, Inc. stated that they would intensify their efforts to meet the 30% goal if they were selected for the award of this contract.

Upon review of PCL Construction Inc.'s good faith effort, OESBD has determined that they met the quality, quantity and extent in their various efforts to meet the goal in for this solicitation in accordance with Section 1-81.5 (e) (3) of the Broward County Business Opportunity Act of 2012. Although PCL's submittal met the standard in terms of documenting their attempts to fulfill the 30% CBE goal requirement, the market demonstrates sufficient CBE availability to meet the project goal. If PCL is recommended for contract award, PCL must increase their CBE participation to 30% as a condition of award. Therefore, PCL Construction, Inc. is in compliance with the CBE requirements for this solicitation.

Daniel O' Connells Sons, Inc. did not initially meet the CBE requirements for this solicitation. The firm was given three (3) business days to provide documentation of their good faith effort for review. No additional documentation to show good faith effort was provided; therefore, Daniel O' Connells Sons, Inc. is deemed non-compliant with the CBE requirements of the solicitation.

cc: Jeffery Greenfield, Project Manager II, WWS
James Vose, Jr., Small Business Development Specialist, OESBD