



**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: December 12, 2017

TO: Carolyn Messersmith, Senior 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. PNC2114822C1- Andrews Avenue Bridge Rehabilitation
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: 10%

Met the CBE Requirements:

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
Seacoast, Inc. (prime) Champion Controls, Inc.	CBE	12.88%

- Contractor's Bid Amount: \$8,575,415.00
- CBE Participation Commitment: 12.88%

Kiewit Infrastructure South Co. (prime) Interstate Construction, LLC	CBE	11.60%
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- Contractor's Bid Amount: \$8,870,940.00
- CBE Participation Commitment: 11.60%

Met the CBE Requirements (cont.):

<u>Firm</u>	<u>Category</u>	<u>Percentage</u>
M & J Construction of Pinellas Co., Inc. (prime) Interstate Construction, LLC	CBE	10.83%

- Contractor's Bid Amount: \$9,845,605.38
- CBE Participation Commitment: 10.83%

Did not meet the CBE Requirements:

Archer Western Contractors, LLC (prime)	Non-CBE	0%
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- Contractor's Bid Amount: \$10,369,850.00
- CBE Participation Commitment: 0%

Compliance Comments

Seacoast, Inc.; Kiewit Infrastructure South Co. and M & J Construction of Pinellas Co., Inc., have submitted the required documentation in accordance with the solicitation's requirements and are in compliance with the CBE program requirements.

Archer Western Contractors, LLC initially submitted a blank Letter of Intent (LOI) for this solicitation. The firm was given three (3) business days to provide documentation demonstrating their good faith efforts to meet the goal. Upon review of their good faith effort, OESBD has determined that they did not meet the quality, quantity and extent in their efforts to meet the goal in accordance with Section 1-81.5 of the Broward County Business Opportunity Act of 2012. Therefore, Archer Western Contractors, LLC is not in compliance with the CBE requirements for this solicitation.

In addition, per Section 1-81.5 (e) (3) Determination of a Good Faith Effort of the Broward County Equal Opportunity Act of 2012 States: "In determining whether a bidder has made a good faith effort, the Program Director may also consider the level of participation proposed by other bidders. The closer the bidder's proposed participation is to the goal or to the proposed participation by other bidders, the greater the indication of good faith effort by the bidder." There were four (4) bids submitted for this project of which the remaining three (3) bids met or exceeded the CBE requirement. Therefore, it is determined that Archer Western Contractors, LLC is non-compliant to the CBE program requirements.

cc: Harry Diaz, Construction Project Manager, HBMD
James Vose, Jr., Small Business Development Specialist, OESBD