



**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 • TTY 954-357-5664

**MEMORANDUM**

**DATE:** March 1, 2018

**TO:** Michal Durden, Purchasing Agent  
Aviation Department

**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

**SUBJECT:** **PNC2115316P1, FLL Welcome Sign and Broward County Logo Sign  
County Business Enterprise (CBE) Evaluation**

The Office of Economic and Small Business Development (OESBD) has conducted a review of the respondent's compliance to the County Business Enterprise (CBE) requirements for this solicitation. An overview is provided as follows:

**The CBE goal for the project: 10%.**

**Met the CBE Requirements:**

<u>Firm Name</u>	<u>Category</u>	<u>Percentage</u>
<ul style="list-style-type: none"><li><b>Hensel Phelps Construction Co. d/b/a Hensel Phelps (Prime)</b> Big Dog Construction Services, Inc.</li></ul>	CBE	10.00%
Contractor's Bid Amount: \$602,880.00 CBE Participation Commitment: 10.0%		
<ul style="list-style-type: none"><li><b>West Construction, Inc. (Prime)</b> Arbor Electrical Service, Inc. d/b/a Mr. Wireman Electric</li></ul>	CBE	10.00%
Contractor's Bid Amount: \$645,000.00 CBE Participation Commitment: 10.0%		

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County Business Enterprise (CBE) Participation Review**

**Did Not Meet the CBE Requirements:**

<u>Firm Name</u>	<u>Category</u>	<u>Percentage</u>
<ul style="list-style-type: none"> <li>• <b>Acolite &amp; Claude United Sign Co., Inc. (Prime)</b> Proscan Locating</li> </ul>	Non-CBE	0.00%
Contractor's Bid Amount: \$299,157.90		
CBE Participation Commitment: 0.0%		
<ul style="list-style-type: none"> <li>• <b>BRD, Inc. d/b/a BRD Construction, Inc. (Prime)</b> Hammond &amp; Associates, Inc.</li> <li>S&amp;F Engineers, Inc.</li> </ul>	CBE CBE	0.50% <u>0.90%</u>
Contractor's Bid Amount: \$762,437.00		
CBE Participation Commitment: 1.40%		

**CBE Compliance Comments:**

Hensel Phelps Construction Co. d/b/a Hensel Phelps submitted the required documentation in accordance with the solicitation requirements and is in compliance with the CBE program requirements.

West Construction initially submitted an incomplete CBE Letter of Intent (LOI) that reflected a CBE participation commitment that met the established 10% goal. The firm was given three (3) business days, in accordance with Section 1-81.5(d) of the Broward County Business Opportunity Act of 2012, to provide a complete LOI or documentation demonstrating all good faith efforts made to meet the 10% goal. West Construction submitted a revised LOI and is therefore in compliance with the solicitation and CBE program requirements.

Acolite & Claude United Sign Co., Inc. (Acolite) submitted an LOI that was executed with a non-CBE subcontractor along with an application for evaluation of good faith effort. The firm was given three (3) business days, in accordance with Section 1-81.5(d) of the Broward County Business Opportunity Act of 2012, to provide an executed LOI listing a CBE-certified firm or any additional documentation of good faith efforts made to meet the goal. The firm provided additional documentation for consideration in evaluating its good faith efforts. Upon review of Acolite's documented efforts, the OESBD determined that the firm has not demonstrated its attempts to meet the goal in the quality, quantity, and extent of its good faith efforts as outlined in Section 1-81.5 of the Broward County Business Opportunity Act of 2012.

BRD, Inc. d/b/a BRD Construction, Inc. (BRD Construction) did not include evidence of efforts made to meet the CBE goal with its bid response. The firm was given three (3) business days, in accordance with Section 1-81.5(d) of the Broward County Business Opportunity Act of 2012, to provide an executed LOI or documentation demonstrating all good faith efforts made to meet the project goal. BRD Construction provided two (2) LOIs and an application for evaluation of good faith effort along with support documentation. Upon reviewing the documentation, the OESBD has determined that BRD Construction has not demonstrated its attempts to meet the goal in the quality, quantity, and extent of its good faith efforts as outlined in Section 1-81.5 of the Broward County Business Opportunity Act of 2012.

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Per Section 1-81.5(e)(3) of the Broward County Business Opportunity Act of 2012, "In determining whether a bidder has made a good faith effort, the Program Director may also consider the level of participation proposed by the bidder and 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 by the bidder." Four (4) firms responded to this RFP. Two (2) of the four (4) firms met the CBE requirement. It is therefore determined that Acolite and BRD Construction are non-compliant with the CBE program requirements.

**CBE Compliance History**

The following is a report of the proposers' CBE compliance history for projects completed within the last five (5) years of this solicitation's due date:

- **West Construction, Inc.**

<u>Completed Projects with CBE Goals</u>	<u>CBE Goal</u>	<u>CBE Commitment</u>	<u>CBE Attainment</u>
Z1056116C1: Terminal 2, 3, and 4 Pedestrian Bridges – Phase 1 – Demolition and Cleaning	17%	17.14%	16.88%
F1195308C1: NW 21 <sup>st</sup> Avenue Pedestrian Bridge over C-13 Canal	18%	23.04%	28.43%

- **Acolite & Claude United Sign Co., Inc.**

<u>Completed Projects with CBE Goals</u>	<u>CBE Goal</u>	<u>CBE Commitment</u>	<u>CBE Attainment</u>
No completed Broward County projects with CBE goals in last 5 years	N/A	N/A	N/A

- **BRD, Inc. d/b/a BRD Construction, Inc.**

<u>Completed Projects with CBE Goals</u>	<u>CBE Goal</u>	<u>CBE Commitment</u>	<u>CBE Attainment</u>
No completed Broward County projects with CBE goals in last 5 years	N/A	N/A	N/A

- **Hensel Phelps Construction Co. d/b/a Hensel Phelps**

<u>Completed Projects with CBE Goals</u>	<u>CBE Goal</u>	<u>CBE Commitment</u>	<u>CBE Attainment</u>
No completed Broward County projects with CBE goals in last 5 years	N/A	N/A	N/A

Cc: Donna-Ann Knapp, Small Business Development Specialist, BCAD/OESBD