



OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT

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MEMORANDUM

DATE: November 8, 2018

TO: L. Michael Saltzman, P.E., Project Management Supervisor
Port Everglades Dept./ Seaport Engineering & Facilities Maintenance Div.

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: **Contract No. X1349802P1** - Managing General Contractor for Southport Crane Infrastructure Improvements & Port Everglades Southport Turning Notch Expansion
Fostering Small Business Participation Project - CFR 49 Part 26.39 (2)
Small Business Compliance Evaluation for Change Order No. 1

The Office of Economic and Small Business Development (OESBD) has conducted a review of Moss & Associates, LLC and Kiewit Infrastructure South Co. d/b/a Moss/Kiewit's small business participation on RFP Contract No. X1349802P1.

<u>Small Business Subcontractors</u>	<u>Reported Amount</u>	<u>Verified Amount</u>
Sovereign Construction	\$ 1,294,676.28	\$ 1,294,676.28
Industrial Divers Corp.	\$ 501,194.70	\$ 501,194.70
Everglades Restoration	\$ 230,850.00	\$ 230,850.00
Pinnacle Ecological	\$ 61,906.50	\$ 61,906.50
Total:	\$ 2,088,627.48	\$ 2,088,627.48

- Original Estimated Guaranteed Maximum Price (EGMP): \$437,493,624.00
- Original amount of project subject to subcontracting: \$332,523,942.00
- Change Order No. 1 - EGMP increase amount: \$33,537,964.00
- New Estimated Guaranteed Maximum Price (EGMP): \$471,031,588.00
- New amount of project subject to subcontracting: \$334,701,524.00
- Payment reported by Moss/Kiewit to October 31, 2018: \$18,868,230.66
- Verified payments to small businesses: \$2,088,627.48
- Small Business participation percentage: 11.07%
(\$2,088,627.48/\$18,868,230.66)

Compliance Comments:

Moss/Kiewit Joint Venture has attained 11.07% small business participation to date and is in compliance with fostering small business participation under Title 49 CFR Part 26.39 (b)(2), which is applicable to this contract.

Per documents submitted by Moss/Kiewit and reviewed by OESBD, Sovereign Construction, Industrial Divers Corp., Everglades Restoration and Pinnacle Ecological meet the small business definition per Section 3 of the Small Business Act, and the Small Business Administration Regulations Title 13 CFR Part 121. Payments to these firms were verified through an independent verification process.

Per section 26.7.2 of the contract between Broward County and Moss/Kiewit, this project has an element of fostering small business participation and requires the contractor to specify elements of the contract or specific subcontracts for small business participation. On November 6, 2018, Moss/Kiewit submitted a list of small businesses and scopes of work for subcontracting estimated at \$24,413,824.00. This amount represents 7.30% of the total direct construction cost of \$334,640,274.00. Moss/Kiewit reported that it will continue to increase small business participation on this project by working with existing subcontractors and seeking new ones.

OESBD will continue to monitor this project for small business participation compliance, as stated in Section 26.7 of the contract between Broward County and Moss & Associates, LLC and Kiewit Infrastructure South Co. d/b/a Moss/Kiewit.

cc: Maribel Feliciano, AICP, Assistant Director, OESBD
Oswaldo Casco, Small Business Development Specialist, OESBD