



OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT

Governmental Center Annex

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MEMORANDUM

DATE: January 2, 2019

TO: Michal Durden, Senior Purchasing Agent
Purchasing Division

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

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MICHAEL
MCDONALD
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MICHAEL MCDONALD
Date: 2019.01.11 17:01:18
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FROM: Freddy Castillo, Small Business Development Manager FJC
Office of Economic and Small Business Development

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Date: 2019.01.08
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**SUBJECT: Bid No. PNC2117690C1, Rehabilitation of North Airfield Pavements and EMAS
Beds at FLL
Disadvantaged Business Enterprise (DBE) Evaluation**

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

This project DBE goal was 23%.

Met the DBE Requirements:

<u>Firm Name</u>	<u>Category</u>	<u>Amount</u>	<u>Percentage</u>
General Asphalt Co., Inc. (Prime)			
Stanford & Sons Trucking Corp	DBE	\$ 2,474,000.00	3.60%
Chin Diesel, Inc.	DBE	\$ 988,000.00	1.40%
Landrieu Concrete and Cement Industries	DBE	\$ 7,483,800.00	10.90%
Interstate Sealant & Concrete, Inc.	DBE	\$ 362,200.00	0.53%
Roberts Traffic Marking	DBE	\$ 3,365,600.00	4.90%
Solid Network Solutions, LLC	DBE	\$ 1,900,000.00	2.70%
Total		\$ 16,573,600.00	24.03%

Bid Amount: \$68,269,430.00

DBE Participation: 24.03%

<u>Firm Name</u>	<u>Category</u>	<u>Amount</u>	<u>Percentage</u>
Community Asphalt Corp. (Prime)			
American Pipeline Construction, LLC	DBE	\$ 767,250.00	1.05%

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Met the DBE Requirements Continued:

<u>Firm Name</u>	<u>Category</u>	<u>Amount</u>	<u>Percentage</u>
Guaranteed Fence Corp.	DBE	\$ 149,200.00	0.20%
Jason's Hauling, Inc.	DBE	\$ 4,000,000.00	5.45%
Miguel Lopez Jr. Inc.	DBE	\$ 55,125.00	0.08%
Patriot Prime, Inc.	DBE	\$ 87,000.00	0.12%
Roberts Traffic Marking	DBE	\$ 1,781,750.00	2.43%
Unlimited Turf, LLC	DBE	\$ 390,600.00	0.53%
WBE Environmental, Inc. d/b/a Florida Silt Fencing	DBE	\$ 21,502.50	0.03%
Solid Network Solutions, LLC	DBE	\$ 1,140,000.00	1.55%
Interstate Sealant & Concrete, Inc.	DBE	\$ 331,000.00	0.45%
Landrieu Concrete and Cement Industries	DBE	\$ 5,805,000.00	7.92%
Apogee Security & Investigation Services, LLC	DBE	\$ 1,600,000.00	2.18%
Maytin Engineering Corp.	DBE	\$ 750,000.00	1.02%
Total		\$ 16,878,427.50	23.01%

Bid Amount: \$73,330,208.30

DBE Participation: 23.01%

Did Not Meet the DBE Requirements:

<u>Firm Name</u>	<u>Category</u>	<u>Amount</u>	<u>Percentage</u>
Kiewit Infrastructure South Co. (Prime)			
Guaranteed Fence Corp	DBE	\$ 80,000.00	0.09%
Interstate Sealant & Concrete, Inc.	DBE	\$ 340,000.00	0.40%
Solid Network Solutions, LLC	DBE	\$ 1,900,000.00	2.21%
Highway Striping, Inc.	DBE	\$ 2,300,000.00	2.68%
Tayrona Investments LLC d/b/a Tayrona Oil	DBE	\$ 580,000.00	0.67%
Unlimited Turf, LLC	DBE	\$ 390,000.00	0.45%
Total		\$ 5,590,000.00	6.50%

Bid Amount: \$85,933,766.80

DBE Participation: 6.50%

DBE Compliance Comments:

Community Asphalt Corp. submitted Letters of Intent (LOIs) that met the established DBE goal and is compliant with the DBE requirements of the solicitation. General Asphalt Co., Inc. did not submit complete LOIs that met the DBE goal. The firm was given three (3) business days to provide the missing information or provide documentation of its good faith efforts to meet the goal. General Asphalt Co., Inc. provided the required information within the stipulated timeframe and is therefore deemed compliant with the solicitation's DBE requirements.

Bid No. PNC2117690C1, Rehabilitation of North Airfield Pavements and EMAS Beds at FLL Disadvantaged Business Enterprise (DBE) Evaluation

Kiewit Infrastructure South Co. (Kiewit) did not submit LOIs that met the established DBE goal. The firm was given three (3) business days to provide LOIs that met the goal or submit documentation of its good faith efforts to meet the goal. Kiewit responded within the stipulated timeframe, however, the firm did not provide sufficient evidence as to why additional agreements could not be reached for DBEs to perform the work.

Per the federal guidance concerning good faith efforts under the DBE Program, Title 49 of the Code of Federal Regulations Part 26, Appendix A, Section IV, D (49 CFR Part 26, Appendix A (IV)(D)), *"It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional Agreements could not be reached for DBEs to perform the work."*

Another consideration in reviewing Kiewit's good faith efforts was the performance of other bidders in meeting the DBE goal. Three (3) vendors submitted responses to this solicitation. The two (2) other vendors were able to meet the goal. In accordance with 49 CFR Part 26 Appendix A, Section V, *"In determining whether a bidder has made good faith efforts, it is essential to scrutinize its documented efforts. At a minimum, you must review the performance of other bidders in meeting the contract goal."*

Kiewit did not demonstrate sufficient good faith efforts to meet the established DBE goal. The vendor is not compliant with the DBE requirements of the solicitation.

cc: Maribel Feliciano, Assistant Director, OESBD
Donna-Ann Knapp, Small Business Development Specialist, BCAD/OESBD