



OFFICE OF ECONOMIC AND SMALL BUSINESS DEVELOPMENT

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MEMORANDUM

DATE: April 1, 2019

TO: Gasser Douge, Engineering Unit Supervisor
Aviation Department

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

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

SANDY-MICHAEL MCDONALD Digitally signed by SANDY-MICHAEL MCDONALD
Date: 2019.04.01 13:14:02 -0400

FREDDY J. CASTILLO Digitally signed by FREDDY J. CASTILLO
DN: cn=Freddy J. Castillo, ou=Office of Economic and Small Business Development, o=Broward County, c=US
Date: 2019.04.01 13:14:02 -0400

SUBJECT: RLI No. R1083508R1 – Consultant Services for Professional Services for Rehabilitation of North Airfield Pavements and Engineered Material Arresting System Beds
Compliance Evaluation – Second Amendment

The Office of Economic & Small Business Development (OESBD) has evaluated Kimley-Horn and Associates, Inc.’s (Kimley-Horn’s) (prime’s) utilization of Disadvantaged Business Enterprise (DBE) subcontracted firms. The DBE participation to date is 14.97%. An overview of the evaluation follows:

The DBE Goal for this project was 19.00%.
The Prime has committed to 20.00% DBE participation.

Participation Performance

<u>DBE Subcontractors</u>	<u>Committed Percentage</u>	<u>Reported Amount</u>	<u>Verified Paid Amount</u>
Chen & Associates Consulting Engineers, Inc. d/b/a Chen Moore and Associates, Inc.	2.00%	\$ 77,933.90	\$ 77,933.90
Dickey Consulting Services, Inc.	1.00%	\$ 0.00	\$ 0.00
IMDC, Inc.	12.00%	\$162,535.96	\$ 162,535.96
Tierra South Florida, Inc.	<u>5.00%</u>	<u>\$ 51,915.88</u>	<u>\$ 51,915.88</u>
Total Participation	20.00%	\$292,385.74	\$ 292,385.74

- Original Contract Amount: \$2,100,000.00
- First Amendment Amount: \$1,836,252.00
- Revised Contract Amount: \$3,936,252.00
- Total Payments to Prime: \$1,952,589.30
- Total Prime Payments to DBE Subcontractors: \$292,385.74
- Total DBE Attainment to Date: 14.97% (\$292,385.74 / \$1,952,589.30)

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Proposed Second Amendment – The Prime’s DBE commitment remains 20.00%

The purpose of the proposed Second Amendment is to extend the agreement term, via an additional one-year renewal option, through March 17, 2021.

- Amount of Proposed Second Amendment: \$1,813,748.00
- Revised Contract Amount Through Proposed Second Amendment: \$5,750,000.00

DBE Compliance Comments:

Kimley-Horn’s current DBE participation is 14.97%, which is 5.03% less than its committed DBE participation. Participation was verified through an independent payment verification process.

Upon the OESBD’s request, Kimley-Horn submitted a shortfall explanation and a corrective plan of action outlining the current and future utilization of the DBE subcontractors under this agreement. The prime states that since the submittal of its last DBE Monthly Utilization Report (MUR) to the OESBD, an additional payment in the amount of \$70,000.00 was made to one of its DBE subcontractors, which will increase the level of participation to 18.56%. Kimley-Horn states that the value of its committed subcontract agreements, which total \$556,349.77, represent 22.35% of the overall project fee. This participation is not reflected in the actual attainment to date because not all the DBE subcontractors have started to perform their scopes of service. To date Dickey Consulting Services, Inc., with a subcontract amount of \$40,000.00, has not yet been utilized on the project. Kimley-Horn states, however, that Dickey Consulting is about to commence its public participation services. Consequently, payments to this subcontractor will be reflected in future MURs. Kimley-Horn also states that there are invoices pending payment by the County that include work performed by its DBE subcontractors. The DBE portion of these unpaid invoices amount to \$133,313.16. Once these outstanding payments are made, the prime states that the level of DBE participation will exceed the 20% participation commitment.

The OESBD will continue to monitor this project for compliance with the federal DBE Program.

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