



CITY OF ORLANDO

MEMORANDUM

TO: Lihua Wei, Project Manager

THRU: Kevin Walsh, Minority Business Enterprise Official *KW*

FROM: Byron Rayson *BR*, Contract Compliance Investigator III

DATE: May 24, 2016

SUBJECT: Greenwood Basin Baffle Boxes Drainage Improvements-IFB16-0174
Project Amount: \$416,678.00

With reference to the submission by **Schuller Contractors, Inc.** regarding minority and women-owned business enterprise utilization for the above cited contract, please note the following:

The cited firms have been identified as City of Orlando certified:

PES, LLC	MBE	\$ 6,434.90	1.5%
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Schuller Contractors, Inc. was the apparent low bidder but did not achieve the City's MWBE program goals of 18% MBE participation and 6% WBE participation. At the time of the bid submittal, Schuller Contractors, Inc. submitted 1.5% M/WBE participation and good faith documentation. Schuller Contractors, Inc. was given five additional days and failed to comply with City's M/WBE program goals. After evaluating the good faith documentation submitted by Schuller Contractors, Inc. and concurrence from the City's legal department, it has been determined that the M/WBE good faith requirements have been met.

Due to the specialized nature of this project, 62% of the project consist of the purchase of the baffle box structures. As a result, there is a limited amount of project work available for subcontractors. Schuller Contractors, Inc. has reiterated their commitment to make good faith efforts to provide M/WBE participation on future projects

Based upon this office's interaction with **Schuller Contractors, Inc.** and their submittal of agreement to subcontract with the above named firm, we find good faith efforts substantiated and bid responsive.

In the event that **Schuller Contractors, Inc.** has not submitted signed subcontract agreements, please remind them of the requirements to execute and submit to this office within seven (7) days after contract award, copies of all Ordinance related subcontracts. **Schuller Contractors, Inc.** should also be informed that any change orders, up or down, require 24% M/WBE participation on the total amount of such change order.

IMPORTANT: PLEASE INFORM **SCHULLER CONTRACTORS, INC.** THAT ANY MATERIAL CHANGES IN THE CONTRACTUAL RELATIONSHIP HEREINAFTER ESTABLISHED BETWEEN THE PRIME AND THE SUBCONTRACTOR AGREEMENT MUST BE PROMPTLY REPORTED TO MINORITY BUSINESS ENTERPRISE OFFICIAL FOR APPROVAL.

cc: Richard Howard, Director of Public Works

MINORITY BUSINESS ENTERPRISE

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