



CITY OF ORLANDO

MEMORANDUM

TO: Silvia Coste, Purchasing Agent II

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

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

DATE: April 7, 2015

SUBJECT: Millenia Elementary Trail Bridge -IFB15-0013

Project Amount: \$284,493.90

With reference to the submission by **Theobald Construction, LLC** 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:

J. L. Wilson Concrete	MBE	\$ 26,000.00	9.1%
Mims Construction	WBE	\$ 7,840.00	2.8%
Total M/WBE Participation		\$ 33,840.00	11.9%

Theobald Construction, LLC 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, Theobald Construction, LLC submitted 11.9% M/WBE participation and good faith documentation. Theobald Construction, LLC was given five additional days and failed to comply with City's M/WBE program goals. After evaluating the good faith documentation submitted by Theobald Construction, LLC, it has been determined that the scope for this project is very specialized and has limited subcontracting opportunities.

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

In the event that **Theobald Construction, LLC** 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. **Theobald Construction, LLC** 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 **THEOBALD CONSTRUCTION, LLC** 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
Theobald Construction, LLC

MINORITY BUSINESS ENTERPRISE

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