

GOAL SETTING COMMITTEE

Wednesday, March 20, 2019 – 2:00 p.m.

Room 2N-144 - 2nd Floor

Office of Equal Business Opportunity

50 South Military Trail

West Palm Beach, FL 33415

REVISED MINUTES

Members Present:

David Behar, County Attorney

Tonya Davis Johnson, OEBO

Marcela Millett, OFMB

Kathy Scarlett, Purchasing

Jim Stiles, WUD

Tanoy Williams, OFMB

Brenda Znachko, FDO

Non Member Attendees

Conrad Ailstock, WUD

Krystin Berntsen, WUD

Vicky Cronell, OEBO

Allen Gray, OEBO

Vernetha Green, WUD

Kenisha James, OEBO

Deirdre Kyle, OEBO

Martha LaVerghetta, Airports

Kristen Monnett, Purchasing

Pollop Phonpornwithoon, WUD

Kenny Rampersad, WUD

Angela Smith, OEBO

Angie Whitaker, OEBO

I. CALL TO ORDER

Meeting called to order at 2:06 p.m. by Tonya Davis Johnson.

Roll called, all voting parties present.

II. ADOPTION OF AGENDA

Motion by Brenda Znachko to accept the agenda, seconded by Kathy Scarlett.

Motion to adopt the agenda carried 6-0.

| | |
|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

III. ADOPTION OF MINUTES

Kathy Scarlett stated that Project 6 from the March 6, 2019, agenda, for Goods and Services from \$5,000 to \$99,999 the Goal Setting Committee set a 10% Price Preference for Quotes and she is requesting that SBE Evaluation Preference for Prime Bidders of 15% be added to Requests for Submittals. After discussion it was determined that the second category would need to go before the Committee for consideration. Ms. Scarlett asked to amend the agenda to add this item.

Brenda Znachko also asked for a clarification of Project 3. Since this is a contract >\$500,000 the API should be up to 15 % of the total number of evaluation points instead of 15 points prime preference. *Ord. 2-80.27(3)(d)*

Motion by Kathy Scarlett to approve the March 6, 2019 minutes, with the correction of the API on Project 3. Motion seconded by Brenda Znachko.

Motion to adopt the minutes with changes carried 6-0.

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|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

RE-ADOPTION OF AGENDA

Motion by Kathy Scarlett to accept the agenda with the addition of Project 7 – For Procurements for Goods and Other Services Valued from \$5,000 to \$99,999 to include an API for Requests for Submittals, seconded by Brenda Znachko.

Motion to adopt the agenda with changes carried 6-0.

| | |
|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

IV. REVIEW OF PROJECTS

Tonya Davis Johnson reported that there are a total of seven projects on today's agenda.

Project 1 – CM for Animal Care & Control Facility Renewal/Replacement – FDO

Discussion

Recommendation: OEBO Pilot Program (PPM – Attachment 3) SBE Evaluation Preference for Mentoring – Up to 5% of evaluation points for CM/SBE Partnering; SBE Evaluation Preference for SBE Participation – Up to 10% of evaluation points for SBE participation Plan; Return to Goal Setting Committee prior to subcontracting bidding for mandatory subcontracting goal for the construction subcontracts.

Motion to accept recommendation by Kathy Scarlett, seconded by Marcela Millett.

Motion to accept recommendations carried 6-0.

| | |
|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

Project 2 –Sports Field Lighting Installation (Annual) – FDO

Discussion

Recommendation: SBE Sheltered Market for Projects <\$100,000 when three SBEs are available (Ord. 2-80.27(1)(b)); if there are less than three SBEs available 10% SBE Price Preference (Ord. 2-80.27(1)(e)); FDO and OEBO will perform significant outreach to vendors to determine availability

Motion to accept recommendation by, Kathy Scarlett, seconded by Marcela Millett.

Motion to accept recommendations carried 6-0.

| | |
|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

There was discussion on whether the Committee would require three or four available vendors for sheltering. It was determined that for the sake of consistency, the Committee would require three available vendors.

Project 3 – Plumbing Services, Minor/Incidental – FDO

Discussion

Recommendation: SBE Sheltered Market for Projects <\$100,000 when three SBEs are available (Ord. 2-80.27(1)(b)); if there are less than three SBEs available 10% SBE Price Preference (Ord. 2-80.27(1)(e)).

Motion to accept recommendation by Brenda Znachko, seconded by Kathy Scarlett.

Motion to accept recommendations carried 6-0.

| | |
|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

Project 4 – Project 18-016 – WTP & VFD Grounding – WUD

Discussion

Recommendation: SBE Price Preference Single Trade (Ord. 2-80.27(1)(e)).

Motion to accept recommendation by Tanoy Williams, seconded by Marcela Millett.

Motion to accept recommendations carried 7-0.

| | |
|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Jim Stiles | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

Project 5 – Project 19-028 Capital Improvement Plan Program Management– WUD

Discussion

There was discussion on the application of race and gender conscious APIs on contracts outside over \$301,000. According to the Disparity Study there was significant disparity for eligible AA and WBE firms, which gives opportunity to give strong statistical evidence for consideration of race conscious remedies. The ordinance requires findings in four areas of criteria, one of which is in the most recent data indicates that professional services of this type demonstrate significant disparities in the utilization of M/WBE subcontractors or M/WBE prime contractors; the second is whether race or gender neutral remedies alone are likely to eliminate such disparities based

upon past contract and payment data; the third is whether a particular API is the least burdensome remedy and is narrowly tailored; and lastly whether a specific API is appropriate for the specific type of contract being awarded. David Behar reminded the Committee that the solicitation document would require an explanation of the findings, if it should pass, as required by the ordinance.

Recommendation: SBE Goal of Minimum Mandatory 20% Subcontracting for Professional Services(Ord. 2-80.27(3)(e)) and Evaluation Preference of up to 15 Points for Professional Services for M/WBE Participation (Ord. 2-80.27(4)(b)).

Motion to accept recommendation by Tanoy Williams, seconded by Marcela Millett.

Motion to accept recommendations carried 7-0.

| | |
|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Jim Stiles | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

Project 6 – Tree Pruning Services (Countywide) – WUD

Discussion

Recommendation: 10% SBE Price Preference (Ord. 2-80.27(5)(f)).

Motion to accept recommendation by Kathy Scarlett, seconded by Brenda Znachko.

Motion to accept recommendations carried 7-0.

| | |
|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Jim Stiles | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

Project 7 – Blanket Goal for Requests for Submittals for Goods and Other Services between \$5,000 and \$99,999 – Purchasing

Discussion

Recommendation: SBE Evaluation Preference Up to 15% (280.27(5)(c) Option 1).

Motion to accept recommendation by Brenda Znachko, seconded by Kathy Scarlett.

Motion to accept recommendations carried 6-0.

| | |
|---------------------|-----|
| David Behar | YES |
| Tonya Davis Johnson | YES |
| Marcela Millett | YES |
| Kathy Scarlett | YES |
| Tanoy Williams | YES |
| Brenda Znachko | YES |

IV. NEW BUSINESS

Kathy Scarlett asked about the utilization of three vendors in a sheltered market. Ms. Scarlett asked if there is availability of three vendors on renewals do they need to go back to the Goal Setting Committee. She also asked whether renewal contracts with SBE price preference on initial award would need to also go back to the Committee. Tonya Johnson stated that we are in the process of deciding how to properly and efficiently manage renewals. Ms. Scarlett stated that there will be approximately 300 renewals this year. There will be further discussion on the management of these contracts at a later date.

Angie Whitaker asked whether there is standard language in the bids under terms and conditions regarding the minimum mandatory goals. She was concerned that if it is not waived by the Committee it would affect the contract language. David Behar stated that there is not standard language in the bids regarding the minimum mandatory goal.

The next meeting is scheduled for Wednesday, April 3, 2019.

V. ADJOURNMENT

Meeting adjourned at 3:02 p.m.