

**OFFICIAL MEETING MINUTES
OF THE
OFFICE OF EQUAL BUSINESS OPPORTUNITY
GOAL SETTING COMMITTEE**

JULY 3, 2024

**WEDNESDAY
3:30 P.M.**

**50 SOUTH MILITARY TRAIL
WEST PALM BEACH, FL**

MEMBERS:

Tonya Davis Johnson, Division Director V, Office of Equal Business Opportunity (OEBO),
Chair
Mark Broderick, Division Director IV, Facilities Development and Operations (FDO)
Keith Clinkscale, Division Director V, Office of Financial Management & Budget (OFMB)
Ryan Maher, Assistant County Attorney I
Melody Thelwell, Purchasing Director, Purchasing
Brenda Znachko, Division Director III, OFMB

COUNTY STAFF PRESENT:

Krystin Berntsen, Director I, Water Utilities (WUD)
Michael Butler, Division Director IV, Information System Services (ISS)
Allen Gray, Small Business Development Manager, OEBO
Vernetha Green, Utilities Support Services Coordinator, WUD
Anthony Gregory, Airports Compliance Manager, Airports
Megan Harp, Administrative Assistant II, OEBO
Sheri Haywood-McCabe, Contract Manager, ISS
Irwin Jacobowitz, Division Director V, Purchasing
Holly Knight, Senior Professional Engineer, (EPW)
Deirdre Kyle, Small Business Development Specialist III, OEBO
Andrea Mackey, Division Director II, Risk Management
Scott Marting, Director II, Risk Management
Kristen Monnett, Purchasing Manager, Purchasing
Terry Newton, Small Business Development Specialist II, OEBO
Scott Ornitz, Professional Engineer, Airports
Brian Palacios, Division Director II, Risk Management
Richard Sena, Assistant County Attorney I
Angela Smith, Small Business Development Specialist III, OEBO
Jonathan Washington, Senior Buyer, Purchasing

PRESENT VIA WEBEX:

Janissa Abrego, NABWIC
Fanny Amini, Contract Analyst, OFMB
Tarquiesha Brown, Randolph Construction Group

Nicole Davis, Contract Analyst, OEBO
Tylene Henry, NABWIC
Kenisha James, Financial Analyst II, OEBO
Robert Lesko, OEBO Advisory Committee
Ann McNeill, MCO Construction
Cynthia Portnoy, Division Director V, Airports
Francisco Reina, Reina Engineering
Christine Roberts-Kelly, OEBO Advisory Committee
Bob Schafer, OEBO Advisory Committee
Antonia Smith, Outreach and Public Information Coordinator, OEBO
Melody Thelwell, Purchasing Director, Purchasing
EarthScape, Inc.

ALSO PRESENT:

Ernst Ange, 4est Construction
Jugens Jules, 4est Construction

CLERK OF THE CIRCUIT COURT & COMPTROLLER'S OFFICE STAFF PRESENT:

Jillian Zalewska, Deputy Clerk

(CLERK'S NOTE: Allen Gray served as meeting chair in Tonya Davis Johnson's absence, and Irwin Jacobowitz attended and served as a member in place of Melody Thelwell.)

I. Call to Order

The chair called the meeting to order at 3:37 p.m.

Ms. Harp called the roll.

Present: Mark Broderick, Keith Clinkscale, Allen Gray, Irwin Jacobowitz, Ryan Maher, and Brenda Znachko

Absent: Tonya Davis Johnson and Melody Thelwell

II. Adoption of July 3, 2024, Agenda

Mr. Newton stated that Item 3 had been removed from the agenda.

MOTION to adopt the agenda as amended. Motion by Brenda Znachko, seconded by Irwin Jacobowitz, and carried 6-0.

III. Approval of June 5, 2024, Minutes

MOTION to approve the June 5, 2024, minutes. Motion by Keith Clinkscale, seconded by Mark Broderick, and carried 6-0.

IV. Review of Projects

1. Project No: 24-047/LAC Professional Benefits Consultant – RISK \$875,000

Ms. Mackey explained that Risk Management had decided to pursue a competitive solicitation for a new vendor upon the expiration of the current contract.

In response to a question posed by Ms. Znachko regarding the decision to not renew the existing contract, Ms. Mackey stated that the department wished to explore the market and determine if there was a potential to improve services.

On behalf of Ms. Whitaker, Mr. Newton stated that OEBO agreed with the API recommendation of SBE Evaluation Preference for Prime Bidders, Option 2.

MOTION to apply the recommended API of SBE Evaluation Preference for Prime Bidders, Option 2. Motion by Keith Clinkscale, seconded by Irwin Jacobowitz, and carried 7-0.

CITATION: 2-80.27(3)d, Option 2

2. Project: Miscellaneous Pavement Repairs Package No. 2 – PBIA \$3,182,759

Mr. Gregory provided an overview of the project and the purpose of the IFB solicitation. He requested that the committee lower the mandatory minimum subcontracting goal or permit application of an SBE Price Preference.

Discussion ensued regarding the change to the original recommended API of an SBE Mandatory Minimum Subcontracting goal of 12 percent.

Ms. Znachko noted that SBE Price Preference could not be utilized for projects involving multiple trades.

In response to a question posed by Mr. Gray, Mr. Gregory stated that the majority of SBEs contacted by the department did not want to perform work on an airfield. He also explained that specific requirements were imposed by the Federal Aviation Administration (FAA).

Discussion continued, and Ms. Portnoy provided additional information about the difficulty in meeting the subcontracting goal due FAA specifications and the nature of the work.

Ms. Znachko inquired about Package 1, and Ms. Portnoy responded that the contractor had been granted a waiver.

Mr. Gregory suggested that the department pull the item and proceed by requesting a waiver through OEBO.

MOTION to withdraw the item. Motion by Anthony Gregory, seconded by Keith Clinkscale, and carried 7-0.

3. **DELETED**

4. Project No.: 2003503A Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard – ENG \$11,000,000

Ms. Knight presented an overview of the project. She stated that the department proposed an SBE Mandatory Minimum Subcontracting goal of 20 percent.

Ms. Angela Smith stated that OEBO recommended an SBE Mandatory Minimum Subcontracting goal of 20 percent with a 3 percent requirement for African American or Hispanic American vendors.

Ms. Znachko inquired about the feasibility of the goal and the availability of vendors.

Ms. Smith explained that ancillary services included in the project presented subcontracting opportunities.

In response to a question from Ms. Znachko, Ms. Knight stated that she would prefer a lower mandatory minimum goal.

Mr. Gray discussed the service areas with the majority of subcontracting availability.

MOTION to apply the OEBO recommended API of SBE Mandatory Minimum Subcontracting goal of 20 percent with a requirement of 3 percent MBE African American or Hispanic American. Motion by Ryan Maher, seconded by Keith Clinkscale, and carried 6-1 with Holly Knight opposed.

CITATIONS: 2-80.27(1)(c) and 2-80.27(2)(b)

5. Project No: Old CMA 22049A Hauling & Disposal Services Sewage Sludge Cake/Bio-Solids – WUD \$4,500,000

Ms. Green provided an overview of the contract and stated that the department recommended an API of SBE Price Preference.

On behalf of Ms. Whitaker, Mr. Newton stated that OEBO agreed with the recommendation.

MOTION to apply the API of SBE Price Preference. Motion by Brenda Znachko, seconded by Mark Broderick, and carried 7-0.

CITATION: 2-80.27(5)(f)

6. Project No: Old CMA 23011A Pump, Motor & Equipment Maintenance & Repair – WUD \$1,988,300

Ms. Green provided an overview of the contract. She explained that the existing contractor had graduated from OEBO and was no longer a small business vendor.

On behalf of Ms. Whitaker, Mr. Newton stated that OEBO agreed with the department's recommended API of SBE Price Preference.

Mr. Gray asked if the contractor would be eligible to recertify under the updated program limits, and Ms. Green replied that she was not aware if the vendor had communicated with OEBO. She stated that the department wished to proceed with the solicitation.

MOTION to apply the API of SBE Price Preference. Motion by Irwin Jacobowitz, seconded by Keith Clinkscale, and carried 7-0.

CITATION: 2-80.27(5)(f)

7. Project No: Old CMA 19054 Valves / Butterfly / Gate/ Check – WUD \$2,074,000

Ms. Green summarized the terms of the contract and stated that the department recommended application of an SBE Price Preference.

On behalf of Ms. Whitaker, Mr. Newton stated that OEBO agreed with the recommendation.

MOTION to apply the API of SBE Price Preference. Motion by Keith Clinkscale, seconded by Ryan Maher, and carried 7-0.

CITATION: 2-80.27(5)(f)

8. Project No: 21-035 Priority Aerial Canal Crossing Improvement Phase 3 - WUD \$4,807,000

Ms. Berntsen provided an overview of the project.

On behalf of Ms. Whitaker, Mr. Newton stated that OEBO agreed with the department's API recommendation.

MOTION to apply the API of SBE Mandatory Minimum Subcontracting goal of 7 percent. Motion by Brenda Znachko, seconded by Mark Broderick, and carried 7-0.

CITATION: 2-80.27(1)(c)

9. Project No: 21-025 Golfview Heights Water Main Replacement – WUD
\$6,490,860

Ms. Berntsen discussed the department's API recommendation.

Discussion ensued regarding the feasibility of the proposed API.

Mr. Newton stated that he agreed with an API of SBE Mandatory Minimum Subcontracting goal of 9 percent of which 2 percent was required to be African American or Hispanic American vendors.

MOTION to apply the API of SBE Mandatory Minimum Subcontracting goal of 9 percent with a requirement of 2 percent MBE African American or Hispanic American. Motion by Brenda Znachko, seconded by Keith Clinkscale, and carried 7-0.

CITATIONS: 2-80.27(1)(c) and 2-80.27(2)(b)

10. Project No: 2023-009492 Four Points/EOC Bridge Connector – FDO
\$13,000,000

Mr. Broderick discussed the department's recommendation and stated that FDO would return to GSC prior to subcontractor bidding.

Ms. Kyle stated that OEBO agreed with the recommendation of SBE Evaluation Preference for Mentoring with up to 5 percent for CM/SBE Partnering, SBE Evaluation Preference for SBE Participation with up to 10 percent for SBE Participation Plan, and a return to GSC prior to subcontractor bidding.

MOTION to apply the API of SBE Evaluation Preference for Mentoring with up to 5 percent for CM/SBE Partnering, SBE Evaluation Preference for SBE Participation with up to 10 percent for SBE Participation Plan, and a return to GSC prior to subcontractor bidding. Motion by Brenda Znachko, seconded by Irwin Jacobowitz, and carried 6-0.

CITATION: OEBO PPOM Pilot, Attachment No. 3

V. Old Business

Ms. Berntsen discussed a project that WUD had presented to the GSC on February 7. She reported that WUD had received a grant from the South Florida Water Management District, and APIs could no longer be applied to the project. Ms. Berntsen stated that she would provide the relevant paperwork to Ms. Harp.

In response to questions from the committee, Ms. Berntsen clarified that the grant was from the State and that the contract had not yet been issued.

VI. New Business

S/M/WBE Project Update Success Stories

Ms. Berntsen thanked everyone for the successful Hard Hats and Suits event.

VII. Committee Comments

Mr. Clinkscale stated that he had enjoyed moderating the Hard Hats and Suits event, and Ms. Kyle thanked him for his participation.

VIII. Director Comments

The director was not present.

IX. Public Comment

There were no public comments.

X. ADJOURNMENT

At 4:24 p.m., the chair declared the meeting adjourned.