

EXHIBIT 9-E EVALUATION OF GOOD FAITH EFFORTS**M e m o r a n d u m****To: PROJECT FILE****Date: 7/24/24**

Federal-Aid Project Number: BRLO-5942(239), BRLO-5942(226), BRLO-5942(227)
Bid Opening Date: 7/11/24
Bidder: Cal Valley Construction
Type of Work: Bridge Replacements
Bid Amount: \$ 3,518,357.00

From: County of Fresno**Subject:** Evaluation of Good Faith Efforts

The County of Fresno established a Disadvantaged Business Enterprise (DBE) goal of 22 percent for this contract. The bidder commits to 10.03 percent DBE participation.

The County of Fresno's evaluation of the apparent low bidder's Good Faith Efforts is based on Section 9.9 of the Local Assistance Procedures Manual and Appendix A in Part 26 of Title 49 of the Code of Federal Regulations. The efforts of the bidder were reviewed by the County of Fresno from the information provided in Exhibit 15-H: Proposer/Contractor. Good Faith Efforts signed and submitted by Cal Valley Construction. The County of Fresno determined that the Low Bidder did demonstrate Good Faith Efforts to meet the DBE participation goal of this project for the reasons cited in this evaluation.

EVALUATION**A. Items of work the bidder made available to DBE firms**

Work made available: Traffic Control (\$45,000/1.28%), Aggregate (\$96,000/2.73%), HMA (\$113,475/3.23%), Structural Concrete (\$1,200,000/34.11%), Concrete Barrier (\$106,000/3.01%), Crash Cushions (\$107,000/3.04%), Striping (\$69,000/1.96%), Grind HMA/Road Excavation (\$16,200/ 0.46%), Rock Slope Protection (\$167,000/4.75%), Fencing (\$25,000/0.71%), Funding/Road Signs (\$12,200/0.35%), Erosion Control (\$25,000/0.71%), Rebar (230,000/6.54%)

While the Low Bidder did not separate the work into as many economically feasible units to facilitate DBE participation as the other bidders, they still made some work available to DBE firms.

B. Solicitation effort documentation

56 DBE firms were e-mailed or faxed on 7/3/2024. The bid opening was on 7/11/2024. No follow-up documented.

Low bidder used various DBE listings (OSBCR, SAM/SBA, MBDA, Caltrans, MTA, etc.) and contacted 8 other agencies by e-mail/phone/fax to request referrals or post project information on 7/3/2024.

Documentation for their e-mails, faxes, and listings was provided with their Good Faith Effort.

Approximately 42 of the DBEs solicited were able to perform the work listed in A.

C. Rejected DBE documentation

3 DBE quotes were accepted, 4 were rejected due to not being the low bid. Other DBE firms who were contacted either were not in the work range, their services were not needed, or the low bidder

Out of the quotes that were rejected, three had a significant price difference. The one that did not for tree removal would have added \$24,965 toward the total DBE goal, which would only have raised it to 10.74%.

D. Publication effort made to advertise the projects to include DBE participation

No publication documentation was provided with the GFE, only requests for referrals and DBE lists.

E. Agencies, organizations, or groups contacted to provide assistance in contacting, recruiting and using DBEs

See B above. Databases low bidder used: Small and Disadvantaged Business Utilization, Caltrans DBE website, VetBiz Portal, SDVOB Network, Bureau of Contract Administration, LA Metro Small Business Certification, Minority Business Development Agency.

F. Efforts to provide information about the plans, specifications, and contract requirements

Phone, e-mail, fax numbers provided; office hours available for plans and specifications.

G. Assistance with bonding, lines of credit, insurance, equipment, supplies, materials, and/or services

N/A.

H. Additional data to support a demonstration of Good Faith Effort

Copies of e-mails sent out were provided, list of subcontractors and suppliers they contacted, and responses to listings provided with reasons why they were not pursued. Quotes that were used were provided.

2nd lowest bidder (12.27% DBE goal, total of 8 DBEs used) provided publications, a list of 105 work codes they used when searching for DBE firms, a log of 392 firms who were contacted about the project with initial contact and second and third follow-up dates. Provided quotes that were not used.

3rd lowest bidder made the goal of 22% by using DBE subcontractors for high value line items such as grading/rock slope protection (\$730,925), rebar (\$230,000), and barriers/crash cushions (\$234,784). 7 total DBE entities used. Publication list and dates advertised provided. List of approximately 325 firms reached out to with second follow-up e-mail and phone call provided.

FINDING OF THE COUNTY OF FRESNO

The County of Fresno finds that the Low Bidder did demonstrate Good Faith Efforts to meet the DBE contract goal for the reasons cited in this evaluation.

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*Must be approved by someone other than the reviewer.