

EXHIBIT 9-E SAMPLE EVALUATION OF GOOD FAITH EFFORTS**Memorandum****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: American Paving Co

Type of Work: Bridge Replacements

Bid Amount: \$ 5,144,780.00

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 12.27 percent DBE participation.

The County of Fresno 's evaluation of the apparent second lowest 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 American Paving Co. The County of Fresno determined that the Second Lowest 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: Construction Area Signs, Traffic Control System, Temporary Railing (Type K), Prepare Water Pollution Control Plan, BMP's, Temporary High Visibility Fencing, Bird Exclusion Plan, Lead Compliance Plan, Install Bird Exclusion Devices, Clearing & Grubbing, Tree Removal, Bridge Removal, Demolition, Roadway Excavation, Earthwork, Structural Excavation & Backfill, Grind Asphalt Concrete, Aggregate Baserock, Hot Mix Asphalt, Minor Concrete, Structural Concrete, Roadside Signs, Thermoplastic Striping & Markings, Pavement Markers, Crash Cushion (TAU-M), Concrete Barrier (Type 836), Reinforcing Steel, Temporary Water Diversion Plan, Temporary Water Diversion System, Erosion Control, Underground, Rock Slope Protection, Fencing, Purchase of Materials, and Trucking.

B. Solicitation effort documentation

392 DBE firms were e-mailed or faxed on 6/25/2024. Follow-up e-mails were sent on 7/1/24 and 7/9/24.

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

Use the California Unified Certification Program online database at:
<https://dot.ca.gov/programs/business-and-economic-opportunity/dbe-search>

C. Rejected DBE documentation

Trucking - BT Trucking - 4600 American Ave. Bakersfield, CA 93309 - (661) 742-0697 - Not low bidder
 Traffic Control - CMC Traffic Control Specialists, LLC - 3450 3rd St, Suite 3G San Francisco, CA - (415) 206-1700 - Not low bidder
 Concrete - K & G Concrete Inc. - 1079 Sunrise Ave. Ste B 353 Roseville, CA 95661 - (916) 539-6652 - Wrong pump type
 Asphalt - Mathews General Engineering and Construction - 1112 North Main St. #105 Manteca, CA 95336 - (916) 539-6652 - Not low bidder
 Sierra Geotech DBE, Inc. - 4470 Yankee Hill Rd, Ste 110 Rocklin, CA 95677 - (760) 985-9988 - Not required
 Rebar - Transpacific Steel, LLC - 799 Amador Street, Pier 96, San Francisco, CA 94124 - (415) 282-8710 - Not low bidder
 Trucking - USA Trucking Inc. - 1900 Wilbur Ave. Antioch, CA 94509 - (707) 624-9522 - Not low bidder

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

Published in MWDBE Weekly, California Bid Register Daily.

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

None.

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

Offers extended through solicitation letter and advertisements. No outside assistance was required.

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

Copies of e-mails and faxes 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.

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 Second Lowest Bidder did demonstrate Good Faith Efforts to meet the DBE contract goal for the reasons cited in this evaluation.

Jackie Wongsing, Staff Analyst

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