

EXHIBIT 9-E EVALUATION OF GOOD FAITH EFFORTS**M e m o r a n d u m****To: PROJECT FILE****Date:** May 12, 2025

Federal-Aid Project Number: STPL-5942(296) and STPL-5942(289)
Bid Opening Date: May 1, 2025
Bidder: Avison Construction, Inc.
Type of Work: Road reconstruction and water pipeline replacement
Bid Amount: \$6,084,522.50

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

The County of Fresno established a Disadvantaged Business Enterprise (DBE) goal of 17 percent for this contract. The bidder commits 4.8 percent DBE participation.

The County of Fresno's evaluation of the apparent low bidder's Good Faith Efforts is based on Section 9.8 of the Local Assistance Procedures Manual and Appendix A to Part 26, 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 County of Fresno.

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**

The low bidder listed Lead Compliance, Construction Area Signs, Traffic Control, Construction Staking, Prepare and implement SWPPP, Street Sweeping, Clearing & Grubbing, Class 2 AB, Hot Mix Asphalt, Tack Coat, AC Pulverizing, Utility Adjustments, Pavement Markings, Road Signs, Striping, Electrical, HMA and AB supply and trucking, Concrete Supply, and other associated work as not normally performed by the prime contractor. A bid item list with estimates was provided. Using their attachment B, they made \$1,979,085.50, or 33% of the work available.

The low bidder separated the work into economically feasible units to facilitate DBE participation. The bid item list is provided and broken down with estimates and percentages for each item.

B. Solicitation effort documentation

Thirty DBEs were contacted, through email and fax, on 4/19/25, with follow-ups on 4/29/25.

The low bidder used various advertisement methods: ads in DBEGoodFaith.com, DBEJournal.com, and LinkedIn.

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

Of the four work codes made available to DBEs, C7112 is a non-participating portion of the project, and for the other three work codes, C5620, C8405, and C8406, there are 23 DBEs capable of performing the work, and 30 DBEs are listed as being solicited.

C. Rejected DBE documentation

Two DBEs were accepted. None were rejected.

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

The low bidder used various advertisement methods: ads in DBEGoodFaith.com, DBEJournal.com, and LinkedIn. Copies of the publications were provided.

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

They used the website <https://californiaucp.dbesystem.com>, and DBEGoodFaith.com's automatic solicitation system.

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

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

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

The low bidder offered to assist potential firms in obtaining bonding, lines of credit or insurance, materials, supplies, equipment, related or any requirements for the work which was provided.

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

No additional data to support a demonstration of good faith efforts was listed.

The second lowest bidder, Cal Valley Construction, Inc., has a DBE commitment of 17.4%, using 3 DBEs. No 15H was provided to show how many DBEs were contacted, only the quotes from the DBEs that were used was provided. One DBE was rejected.

The third lowest bidder, Yarbs Grading and Paving, Inc., has a DBE commitment of 17.7%, using 3 DBEs. No list or number of DBEs contacted, nor the method of outreach utilized was provided, only the correspondence with the DBEs that were chosen was provided.

All three lowest bidders are utilizing one of the same DBEs, KRC Safety for traffic control. However, based on each bidder's estimates, Avison Construction, Inc. is only providing the DBE with \$37,845 worth of work, while Cal Valley Construction, Inc. is estimating \$125,555.00, and Yarbs Grading and Paving, Inc., is estimating \$272,490.00, which explains part of the difference in overall DBE goal commitments. The second and third lowest bidders are also primarily able to meet the goal by having DBE trucking firms purchase and haul asphalt on their behalf, with Cal Valley Construction, Inc. allotting \$908,862.13 for buying/hauling HMA, and Yarbs Grading and Paving, Inc. allotting \$789,582 for buying/hauling HMA.

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.

Submitted by:

**Harsharn
Dhah**

Digitally signed by Harsharn
Dhah
Date: 2025.05.12 15:08:40
-07'00'

Harsharn Dhah
Staff Analyst

Approved by:

**Jennica
Geddert**

Digitally signed by Jennica
Geddert
Date: 2025.05.12 15:09:33
-07'00'

Jennica Geddert
Senior Staff Analyst

*Must be approved by someone other than the reviewer.