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*Broward County Small Business Development Advisory Board (SBDAB)*

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## **Meeting Minutes**

**Address:** Governmental Center, 115 S. Andrews Avenue, Room A680, Fort Lauderdale, FL 33301

**Meeting Date:** Wednesday, April 5, 2017

**Time:** 3:00 p.m.

| <b>SBDAB Members</b>   | <b>Attendance</b> |
|------------------------|-------------------|
| Bob Behar              | Present           |
| Brian Johnson          | Present           |
| Sarah Chappell         | Not Present       |
| Shaun Davis            | Present           |
| Sheryl Dickey          | Present           |
| Victor Green           | Not Present       |
| Gerald Heller          | Present           |
| A Dodie Keith-Lazowick | Present           |
| Stavros Moforis        | Present           |
| Dana Pollitt           | Present           |

### **Guests:**

Tenisha Taylor, T.A.J.LLC dba T.A.J. Realty

### **Staff:**

Sandy-Michael McDonald  
Chris Atkinson  
Carl Kitchner  
Dawn Marshall

- I. **Housekeeping**
  - A. Introduction of Meeting
  - B. Roll Call
  - C. Approval of February 1, 2017 Meeting Minutes
  - D. Adoption of April 5, 2017 Agenda (As Amended)
- II. Comments: Members of the Public
- III. OESBD Staff Updates



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- IV. Purchasing Staff Updates (Quarterly): N/A
- V. New Business:
  - A. CBE Utilization Discussion
- VI. Old Business:
  - A. Ordinance Update

**Discussion Points:** Chair, Brian Johnson called the meeting to order at 3:10 p.m. with a quorum present.

**Comments from the Public:** No Comments

**Staff Updates:** Mr. McDonald reported that staff had a final review of the advisory board's List of Recommendations with Legal and with the Purchasing Division. Mr. McDonald provided a list of recommended changes from Purchasing for review. The following are the advisory board's revisions to Purchasing's recommended changes:

- a. Shelter market reserves. Allow the Purchasing Division to award to a non-SBE if no SBE responds to a sheltered solicitation. This would eliminate the need for duplicate solicitations if no SBE responds. **SBDAB agrees with the revised recommendation.**
- b. Purchasing Division has recommended a cap on allowable differences (chart provided) between certified and non-certified vendors, to control for excessive costs. **SBDAB revised the chart as follows:**
  - 1. \$250,000 or less = not to exceed 15%
  - 2. \$500,000 or less = not to exceed 10%
  - 3. \$1,000,000 or less = not to exceed 7%
  - 4. \$10,000,000 or less = not to exceed 4%
  - 5. Over \$10,000,000 = not to exceed 1%

**Motion:** SBDAB voted, 8-0, to modify the List of Recommendations from the Purchasing Division.

- c. Previous discussions centered on allowing additional time for certification and submission of a respondent's certified team and LOI documents, past the submission date. Purchasing believes this might create issues with their timelines for processing items. OESBD recommends that there be no change to the existing process for when subcontracting teams are set and LOI forms are due; instead, additional effort would be made for certification marketing and outreach, and streamlining current applications process in-house (i.e. expediting the certification process, 30 days or less).

**Note:** Mr. Johnson suggested that, in order to enhance outreach efforts, staff may want to consider extending the time when bids are announced so that firms interested in becoming



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Certified can get certified before the bids are advertised. Mr. McDonald suggested an announcement, such as “upcoming bids for the next 90 days” (or possibly 120 days) to give firms more of a chance to review upcoming bids and become certified.

- d. Purchasing recommended that the requirement for CBE reserves of at least two (2) certified firms be changed to three (3) certified firms, OESBD is in agreement. **SBADB agrees.**

A motion was approved by the SBDAB with a vote, 8-0, to direct the Chair to submit a memo to the County Administrator, and the County Attorney, requesting that the List of Recommendations get on the next available Board of County Commissioners (BOCC) Agenda.

A motion was approved by the SBDAB with a vote, of 8-0, to amend the previous motion to the County Administrator and the County Attorney, to request that the List of Recommendations be placed on the Board of County Commissioners Agenda **before** summer break 2017.

**Purchasing Update:** N/A

#### **New Business:**

- A. CBE Utilization. Dana Pollitt reported that several CBE firms have told him that they are being removed from County contracts. Mr. Pollitt sought a response for something the Board can do, in addition to what OESBD is currently doing, to prevent this from happening. Mr. McDonald stated that Broward County has a “substitution process,” which must be followed. Mr. McDonald explained that there are situations, however, when the substitution process might be challenged, and there are limitations to what the County can do. Mr. McDonald continued that the County cannot force two (2) firms to work together, and there are circumstances when a person can present to this office, or to a user agency, or to a Commissioner, why the individual cannot work with this other firm. In turn, the Commissioner, or user agency can then decide on an action. Mr. Pollitt explained that in other jurisdictions, it is almost impossible to remove a firm from a project after it has been approved. Mr. Pollitt was tasked with providing documentation from other jurisdictions for SBDAB’s review.  
Ms. Dickey suggested conducting a training class to assist small businesses with negotiating skills, and training them to self-advocate (speak up).  
Ms. Keith was tasked with obtaining a copy of the Deerfield Beach procedure that prevents removal of a firm from a project, which she states was successfully used in her instance.

**Greater Fort Lauderdale Alliance Update:** N/A

**Old Business:** See Staff Updates

**Key Decisions:**



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A motion was approved by the SBDAD with a vote 7 - 0, to approve the February 1, 2017 meeting minutes.

**Note:** Sheryl Dickey entered the meeting after the vote.

A motion was approved by the SBDAB, with a vote 7 - 0, to approve the April 5, 2017 agenda as amended.

**Note:** Same as above.

A motion was approved by the SBDAB, with a vote of 8-0, to direct the Chair to submit a memo to the County Administrator, and the County Attorney requesting that the List of Recommendations go on the next available Board of County Commissioners' (BOCC) Agenda.

A motion was approved by the SBDAB, with a vote of 8-0, to amend the previous motion to request that the List of Recommendations be scheduled on BOCC's Agenda **before** summer break 2017.

The meeting was adjourned at 4:11 p.m.

**Note:** The next SBDAB meeting is scheduled for Wednesday, May 3, 2017 at 3 p.m.