

**M/WBE COMMENTS**  
**CONTRACT: Fire Station # 3 Replacement**  
**General Contractor: KMD Construction, LLC**

The established M/WBE participation goals for this contract were **11% MBE, 6% WBE**. The apparent lowest bidder, **KMD Construction, LLC** submitted M/WBE goals of **4.1% MBE and 7.7% WBE**, failing to meet the established goals; therefore, they have submitted documentation and responded to the following good faith criteria outlining their efforts to meet the goal. The criteria and their responses are as follows:

**Awarded/Possible Points**

- A. Attending pre-solicitation or pre-bid meetings that are scheduled by the City to inform M/WBEs of contracting, subcontracting and supply opportunities.
- A company representative **did** attend the pre-bid conference.
- 10/10 points**
- B. Advertising in general circulation, trade association, and minority-focus media concerning subcontracting opportunities. A contractor must advertise in all three mediums to receive full value for this item.
- The Contractor provided evidence in their Good Faith Effort of advertising in **one** of the three mediums.
- 5/15 points**
- C. Submit copies of solicitations for quotes to at least three (3) minority business firms from the source list provided by the Owner for each subcontract to be let under this contract. Each solicitation shall contain a specific description of the work to be subcontracted, location where bid documents can be reviewed, representative of the prime bidder to contact, and location, date and time when quotes must be received. Solicitation was made at least 10 days before bids were due.
- The Contractor provided an invitation to bid, which included where the plans can be found, their address, contact person, and phone number 10 days prior to the date bids were due.
- 15/15 points**
- D. Submit a copy of a telephone log listing follow-up calls to each firm sent a solicitation.
- The Contractor submitted a log providing evidence of follow up conversations with potential M/WBE subcontractors
- 10/10 points**

E. Identifying and selecting portions of the work to be performed by M/WBEs in order to increase the likelihood of M/WBE participation (including where appropriate, breaking down contracts into economically feasible units to facilitate M/WBE participation).

- The Contractor identified portions of work to be performed through their solicitation letter.

**15/15 points**

F. Providing interested M/WBEs with equal access to specifications, plans, and requirements of the contract.

- The Contractor provided interested M/WBE firms with equal access to the plans and specifications through their solicitation letter/invitation to bid. The plans, specifications, and requirements of the contract could be accessed through a link provided in the letter/email.

**10/10 points**

G. Negotiating fairly with interested M/WBEs. For subcontracts where a minority business firm is not considered the lowest responsible sub-bidder, submit copies of quotes received from all firms submitting quotes for that particular subcontract.

- The Contractor provided no evidence of quote copies received from all interested M/WBEs and the quote comparison form did not indicate if the minority firm was not the lowest bidder.

**13/25 points**

H. Using the services of the City of Winston-Salem or correspondence with minority business, community, or contractor organizations utilized in an attempt to meet the goal. A contractor must utilize at least two agencies to receive full value.

- The Contractor **used one agency** to solicit M/WBE participation as requested in this item.

**6/10 points**

I. Assisting minority businesses in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letter of credit, including waiving credit that is ordinarily required. Evidence of implementation from previous projects in the past 5 years advising M/WBE firms of the types of assistance available can also be included. A contractor can receive up to 10 points for offering and up to 10 points for implementation.

- The Contractor provided evidence of offering **but** no evidence of implementation for this item.

**10/20 points**

J. Providing assistance in obtaining required bonding or insurance or providing alternatives to bonding or insurance for subcontractors. Evidence of implementation from previous projects in the past 5 years advising M/WBE firms of the types of assistance available can also be included. A contractor can receive up to 10 points for offering and up to 15 points for implementation.

- The Contractor provided evidence of offering **but** no evidence of implementation for this item.

**10/25 points**

K. Did the company offer to joint venture or partner with MWBE firms?

- The Contractor provided **no evidence** offering or past implementation of a joint venture.

**0/10 points**

L. Provide quick pay agreements and policies to enable minority contractors and suppliers to meet cash flow demands. Evidence of implementation from previous projects in the past 5 years advising M/WBE firms of the types of assistance available can also be included. A contractor can receive up to 5 points for offering and up to 10 points for implementation.

- The Contractor offered quick pay agreements in the solicitation letter but provided **no evidence** of implementation.

**5/15 points**

The City's M/WBE Advisory Committee reviewed the documentation on **December 21, 2021**, and found that **KMD Construction, LLC** failed to demonstrate a Good Faith Effort to meet the recommended goals for the **Fire Station # 3 Replacement** project. The company accumulated an average score of **109 points** out of the **possible 180**, failing to meet the **115 required** point criteria for demonstrating a Good Faith Effort.