



# Metropolitan Water Reclamation District of Greater Chicago

## Errata Correction

100 East Erie Street  
Chicago, IL 60611

**File Number: 18-1316**

**File Key:** 18-1316

**Type:** Agenda Item

**Status:** PC Increase  
PO/Change Order

**Version:** 1

**Reference:**

**Controlling Body:** Procurement  
Committee

**File Created Date :** 12/12/2018

**File Name:**

**Final Action:**

**Title label:** Authority to increase Contract 18-021-11, Furnish and Deliver Unleaded Gasoline to Various Locations for a One (1) Year Period, Item A, to Petroleum Traders Corporation, in an amount not to exceed \$23,100.00, from an amount of \$172,273.04, to an amount not to exceed \$195,373.04, Account 101-20000-623820, Agreement 7001402 *(As Revised)*

**Notes:** ERRATA CORRECTION

In the Title, the account number is corrected to read, "Account 101-20000-623820"

**Sponsors:**

**Enactment Date:**

**Attachments:**

**Enactment Number:**

**Contact:**

**Hearing Date:**

**Drafter:**

**Effective Date:**

### History of Legislative File

| Ver-<br>sion: | Acting Body:           | Date:      | Action: | Sent To: | Due Date: | Return<br>Date: | Result: |
|---------------|------------------------|------------|---------|----------|-----------|-----------------|---------|
| 1             | Board of Commissioners | 12/20/2018 |         |          |           |                 |         |
| 1             | Committee of the Whole | 12/20/2018 |         |          |           |                 |         |

### Text of Legislative File 18-1316

Authority to increase Contract 18-021-11, Furnish and Deliver Unleaded Gasoline to Various Locations for a One (1) Year Period, Item A, to Petroleum Traders Corporation, in an amount not to exceed \$23,100.00, from an amount of \$172,273.04, to an amount not to exceed \$195,373.04, Account 101-20000-623820, Agreement 7001402 *(As Revised)*

Dear Sir:

On December 7, 2017, the Board of Commissioners authorized the Director of Procurement and Materials Management to award 18-021-11, furnish and deliver unleaded gasoline to various locations for a one (1) year period, to Petroleum Traders Corporation, in an amount not to exceed \$165,073.04.

As of December 10, 2018, one change order has been approved for this contract. The effect of this

change order resulted in an increase in the amount of \$7,200.00, from the original amount awarded of \$165,073.04. The current contract value is \$172,273.04. The prior approved change order reflects a 4.4 percent increase to the original contract value.

An increase in the amount of \$23,100.00 to the contract value is being requested due to the District's ongoing demand for unleaded gasoline at the various plants for day to day operations.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances not reasonably foreseeable at the time the contract was signed, and is in the best interest of the District.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to increase Contract 18-021-11 in an amount of \$23,100.00 (approximately 13.4 percent of the current contract value), from an amount of \$172,273.04, to an amount not to exceed \$195,373.04.

Funds are available in Account 101-20000-623820.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management,  
DAL:SEB:MS:cc

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for December 20, 2018



# Metropolitan Water Reclamation District of Greater Chicago

## Errata Correction

100 East Erie Street  
Chicago, IL 60611

**File Number: 18-1317**

**File Key:** 18-1317

**Type:** Agenda Item

**Status:** To Be Introduced

**Version:** 1

**Reference:**

**Controlling Body:** Affirmative Action  
Committee

**File Created Date :** 12/12/2018

**File Name:**

**Final Action:**

**Title label:** Authority to negotiate and enter into Administrative Settlement and Compliance Agreements with Independent Mechanical Industries, Inc. and F.H. Paschen, S.N. Neilsen & Associates LLC (*As Revised*)

**Notes:** ERRATA CORRECTION

Substantial changes were made throughout the board letter

**Sponsors:**

**Enactment Date:**

**Attachments:**

**Enactment Number:**

**Contact:**

**Hearing Date:**

**Drafter:**

**Effective Date:**

### History of Legislative File

| Ver-<br>sion: | Acting Body:           | Date:      | Action: | Sent To: | Due Date: | Return<br>Date: | Result: |
|---------------|------------------------|------------|---------|----------|-----------|-----------------|---------|
| 1             | Board of Commissioners | 12/20/2018 |         |          |           |                 |         |
| 1             | Committee of the Whole | 12/20/2018 |         |          |           |                 |         |

### Text of Legislative File 18-1317

Authority to negotiate and enter into Administrative Settlement and Compliance Agreements with Independent Mechanical Industries, Inc. and F.H. Paschen, S.N. Neilsen & Associates LLC (*As Revised*)

Dear Sir:

Authority is requested to negotiate and enter into Administrative Settlement and Compliance Agreements with Independent Mechanical Industries, Inc. ("IMI") and F.H. Paschen, S.N. Nielsen & Associates LLC ("FHP"). FHP and IMI performed work on two District contracts: (1) Stop Logs and Diversion Pumps at Wilmette Pump Station and Evanston Pump Station Rehabilitation, Contract No. 06-23-3P; and (2) Rehabilitation of the A/B and C/D Service Tunnels - Phase One, Contract No. 04-131-2D (the "Contracts"). The District awarded the Contracts to FHP. IMI was a subcontractor, and Vargas Mechanical, Inc. ("Vargas") was a minority and small-business enterprise subcontractor on the Contracts.

In accordance with the Illinois False Claims Act, the Office of the Illinois Attorney General ("Attorney General") began an investigation of FHP's and IMI's use of Vargas to satisfy FHP's minority and small business utilization goals on publicly funded projects. The District has cooperated in its investigation.

The Attorney General began exploring settlement negotiations with FHP and IMI for alleged violations of the Illinois False Claims Act. Concurrently, and separate from the Attorney General's investigation, the District has prepared for FHP and IMI to each enter into an Administrative Settlement and Compliance Agreement ("Compliance Agreements") with the District for two 2-year terms. The Compliance Agreements will require both FHP and IMI to adopt a corporate compliance program, appoint a corporate compliance officer familiar with the District's affirmative action requirements, retain an independent monitor that will submit periodic compliance reports directly to the District for work on District contracts, conduct six (6) training sessions, and commit to increased utilization goals on any upcoming District contracts. As part of IMI's Compliance Agreement, IMI will voluntarily not participate in any District contract lettings for a period of six (6) months.

Based on the foregoing, it is respectfully requested that the Board of Commissioners grant authority to negotiate and enter into two Compliance Agreements, one with FHP and one with IMI. It is further requested that the Chairman of the Committee on Affirmative Action, Executive Director, and Diversity Administrator be authorized to execute the Compliance Agreements upon the General Counsel's approval as to form and legality.

Requested, Regina D. Berry, Diversity Administrator; RDB:STM:EMA:nm

Recommended, Susan T. Morakalis, General Counsel

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Affirmative Action

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for December 20, 2018



# Metropolitan Water Reclamation District of Greater Chicago

## Errata Correction

100 East Erie Street  
Chicago, IL 60611

**File Number: 18-1320**

**File Key:** 18-1320

**Type:** Agenda Item

**Status:** PC Issue Purchase  
Order

**Version:** 1

**Reference:**

**Controlling Body:** Procurement  
Committee

**File Created Date :** 12/12/2018

**File Name:**

**Final Action:**

**Title label:** Issue purchase order for Contract 19-103-12 (Re-Bid), Furnish and Deliver Lab Coats and Coveralls, to AlSCO, Inc., in an amount not to exceed \$20,582.46, Account 101-16000-612490, Requisition 1498397 *(As Revised)*

**Notes:** ERRATA CORRECTION

Paragraph 2, Line 1 is corrected to read, "In response to a public advertisement of August 29, 2018, a bid opening was held on September 11, 2018,"

**Sponsors:**

**Enactment Date:**

**Attachments:**

**Enactment Number:**

**Contact:**

**Hearing Date:**

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|---------------|------------------------|------------|---------|----------|-----------|-----------------|---------|
| 1             | Board of Commissioners | 12/20/2018 |         |          |           |                 |         |
| 1             | Committee of the Whole | 12/20/2018 |         |          |           |                 |         |

### Text of Legislative File 18-1320

Issue purchase order for Contract 19-103-12 (Re-Bid), Furnish and Deliver Lab Coats and Coveralls, to AlSCO, Inc., in an amount not to exceed \$20,582.46, Account 101-16000-612490, Requisition 1498397 *(As Revised)*

Dear Sir:

On August 2, 2018, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 19-103-11 Furnish and Deliver Lab Coats and Coveralls. The contract expires on December 31, 2021.

In response to a public advertisement of August 29, 2018, a bid opening was held on September 11, 2018. All bids were rejected, as reported, at the Board meeting of October 18, 2018.

In response to a public re-advertisement of October 31, 2018, a bid opening was held on November 13, 2018. The bid tabulation for this contract is:

|             |             |
|-------------|-------------|
| AlSCO, Inc. | \$20,582.46 |
|-------------|-------------|

Two hundred forty-nine (249) companies were notified of this contract being advertised and twelve (12) companies requested specifications.

The Director of Procurement and Materials Management has reviewed the bidders' list for this contract, and is satisfied that the market for this service has been adequately solicited. A planholders' survey revealed the following reasons for not bidding: could not provide the items and/or services requested. In light of these findings, the Director of Procurement and Materials Management is of the opinion that the bid received is a fair and reasonable price, and nothing would be gained by rejecting the sole bid and re-advertising this contract.

AlSCO, Inc., the sole bidder, is proposing to perform the contract in accordance with the specifications. The estimated cost for this contract was \$27,600.00, placing their bid of \$20,582.46 approximately 25.4 percent below the estimate.

The Multi-Project Labor Agreement is not applicable to this contract because it is primarily a furnish and deliver contract.

The Affirmative Action Ordinance, Revised Appendix D is not included in this contract because it is primarily a furnish and deliver contract.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order for Contract 19-103-12 (Re-Bid) to AlSCO, Inc., in an amount not to exceed \$20,582.46.

No bid deposit was required for this contract.

Funds for the 2019 expenditures, in the amount of \$6539.20, are available in Account 101-16000-612490. The estimated expenditures for 2020 are \$6,860.82, and for 2021 are \$7,182.44. Funds for the 2020 and 2021 expenditures are contingent on the Board of Commissioners' approval of the District's budget for those years.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management,  
DAL:SEB:cm

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for December 20, 2018