


**INTEROFFICE MEMORANDUM**  
**METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO**

**DEPARTMENT:** General Administration,  
Diversity Section

**DATE:** July 28, 2020

**TO:** Dr. Catherine O'Connor, Director of Engineering

**FROM:** Regina D. Berry, Diversity Administrator 

**SUBJECT:** **98% Review of Contract 14-253-AF – Flood Control Project on Midlothian Creek in Robbins, IL**

We have reviewed the specifications for the subject contract and the material, labor, equipment, and man-hours breakdown by trades. The work under this contract should be classified as "General Construction Services" The associated Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Small Business Enterprise (SBE) and Veteran-Owned Business Enterprise (VBE) individual goals are: **20% MBE, 10% WBE, 10% SBE and 3% VBE**. The goals should be specified in the Invitation to Bid, the Proposal, and the Agreement.

*The Bidder agrees to fulfill the Special Training Provisions for Apprentices as specified in the Appendix K and to provide training opportunities throughout the life of the contract. The requirements of the Special training Provisions for Apprentices are 590 Minority and 210 Female hours for the purpose of this contract.*

In addition:

- A Pre-Bid Conference should be conducted.
- A Suppliers Exception **has** been recommended.
- The Affirmative Action Ordinance Revised Appendix D, dated May 21, 2020, **must** be included.
- Appendix K **must** be included.
- Assist Agency List **must** be included.
- Appendix C **must** be included.
- Appendix V **must** be included.

Also, please refer to the attached **Revised** memo, June 29, 2020, for new boiler plate language. This language should be consistent in its incorporation in the Invitation to Bid, the Proposal, and the Agreement.

Additionally, below are items that need to be updated in the Contract Documents, Volume 1 of 3:

- On pages I-4 and A-13, **replace** 210 Minority and/or Female hours ... **with** 590 Minority and 210 Female hours
- On pages I-4, P-10 and A-12, Paragraph 2. - **replace** The submitted MBE, WBE, SBE Utilization plan must be completed ... **with** The submitted MBE, WBE, SBE Subcontractor's Letter of Intent must be completed

- On page I-4, Paragraph 2. – **replace** Appendix D ... **with** Affirmative Action Ordinance Revised Appendix D
- On page I-4, Paragraph 2. - **replace** Failure to submit the MBE, WBE, SBE Subcontractor's Letter of Intent must ... **with** Failure to submit the MBE, WBE, SBE Utilization Plan
- On pages I-4, P-10 and A-12, Paragraph 3. - **replace** -- unless the Director of Procurement and Materials Management has authorized a Supplier's Exception ... **with** unless the Administrator has authorized a Supplier's Exception
- On pages I-4, P-10 and A-12, add the paragraph, after number 3. "4. Each Bidder must submit with their proposals a completed **VBE Commitment Form** which lists each business intended to be used as a VBE. The Bidder must make a "**Good Faith Effort**" to identify eligible Veteran Owned-Businesses by completing the VBE Commitment Form. If the Bidder is unable to identify qualified VBE subcontractors capable of providing goods or services required by the contract, the Bidder must write "**no participation**" on the VBE Commitment Form. Where a Bidder has failed to meet the VBE participation goal, the Administrator shall require the Contractor to submit a Veteran's Business Enterprise Good Faith Efforts Documentation Request Form and provide additional documentation of its good faith efforts in attempting to fulfill the VBE goal."
- On pages I-4 and P-10-11, **remove the paragraph**, "Each Bidder's Utilization Plan ... later than three (3) days after the District's written request."
- On pages I-4-5, **replace**, contract is classified "(General Heavy Construction)" for the Socially and Economically Disadvantaged Individuals utilization goals contained in the Affirmative Action Ordinance Revised Appendix D. The associated goals are XX% Minority-owned Business Enterprises, XX% Women-owned Business Enterprises, and XX% Small Business Enterprises ... **with**, contract is classified "General Construction Services" for the MBE, WBE, SBE, VBE utilization goals contained in the Affirmative Action Ordinance Revised Appendix D. The associated goals are 20% Minority-owned Business Enterprises, 10% Women-owned Business Enterprises, 10% Small Business Enterprises and 3% Veteran Owned Business Enterprises.
- On pages P-10 and A-12, Paragraph 1. – **replace**, MBE, WBE, SBE, VBE Utilization Plan ... **with** MBE, WBE, SBE Utilization Plan
- On pages P-11 and A-12, **replace**, contract is classified as "(General Heavy Construction)" for the MBE, WBE, SBE, VBE Utilization Goals contained in the Revised Appendix D. The associated goals are XX% Minority-owned Business Enterprises, XX% Women-owned Business Enterprises, and XX% Small Business Enterprises ... **with**, contract is classified "General Construction Services" for the MBE, WBE, SBE, VBE utilization goals contained in the Affirmative Action Ordinance Revised Appendix D. The associated goals are 20% Minority-owned Business Enterprises, 10% Women-owned Business Enterprises, 10% Small Business Enterprises and 3% Veteran Owned Business Enterprises.
- On page A-11, Last Paragraph – **replace** Revised Appendix D ... **with** Affirmative Action Ordinance Revised Appendix D
- On page A-12, replace The Director of Procurement and Materials Management has granted ... with Then Administrator has granted
- On page AU-1, add the sentence, "The Administrator has granted an exception to Section 11 (i) of the Affirmative Action Ordinance, Revised Appendix D. This exception will allow the bidder to utilize MBE and/or WBE suppliers for 100% goal attainment in their respective categories."

If you have any questions, please contact Malisa Torres, Diversity Officer at 1-5711.

RDB:MGT

Attachments

c: LoCascio, Cornier, Morakalis, Fisher, Cooney, Torres, File