



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

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Title: Report on rejection of bids for Contract 10-780-11, Group B, Rehabilitation of Fine Bubble Diffuser Systems and Pumping Station Improvements in the North Service Area, estimated cost \$350,000.00

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11/18/2010	1	Committee of the Whole	Recommended	Pass
11/18/2010	1	Board of Commissioners	Published and Filed	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 18, 2010

COMMITTEE ON PROCUREMENT

Mr. Richard Lanyon, Executive Director

Report on rejection of bids for Contract 10-780-11, Group B, Rehabilitation of Fine Bubble Diffuser Systems and Pumping Station Improvements in the North Service Area, estimated cost \$350,000.00

Dear Sir:

On May 20, 2010, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 10-780-11 Rehabilitation of Fine Bubble Diffuser Systems and Pumping Station Improvements in the North Service Area.

In response to a public advertisement of June 2, 2010, a bid opening was held on July 27, 2010. The bid tabulation for Group B of this contract is:

PATH CONSTRUCTION COMPANY, INC.	\$151,886.00
KIEWIT WESTERN COMPANY	\$171,000.00
MADISON CONSTRUCTION	\$189,295.00
VEOLIA ES SPECIAL SERVICES, INC.	\$315,575.60
F. H. PASCHEN, SN NIELSEN & ASSOCIATES, LLC	\$422,000.00

One thousand one hundred thirty-six (1,136) companies were notified of this contract being advertised and thirty-two (32) companies requested specifications.

The low bid, submitted by Path Construction Company, failed to identify on the Utilization Plan a dollar value or percentage of participation for each PCE stated on the Plan. The Exhibit B's did not have a dollar value stated for each PCE. Therefore, their bid is considered non-responsive and rejected in the public's best interest, in

accordance with the Revised Appendix D, Section 9(a)(ii)(b) and (c).

Kiewit Western Company submitted a wavier request. The utilization plan submitted with the bid by Kiewit Western Company reflects the following PCE participation: MBE 0%, WBE 0.006%, SBE 0.009%, plus a wavier request. The PCE utilization goals for this contract are 20% MBE, 10% WBE, and 10% SBE. A review of the wavier request by the Affirmative Action Administrator revealed that Kiewit Western Company did not provide a good faith effort to comply with the Revised Appendix D Ordinance under Section 9(b). The Director of Procurement and Materials Management concurs with this finding. Therefore, their bid is considered non-responsive and rejected in the public's best interest.

The third low bid submitted by Madison Construction Company contained one Utilization Plan for both Groups A and B, which does not comply with language on pages I-3 and P-6, in the contract document. The bidder was required to submit a Utilization Plan for each group separately or indicate no bid on the unused Utilization Plan. Therefore, their bid is considered non-responsive and rejected.

Veolia ES Special Services, Inc., did submit a bid. However, this company did not attend the mandatory pre-bid walk-through and the mandatory pre-bid conference as required. Therefore, their bid is considered non-responsive and rejected.

The bid submitted by F. H. Paschen, SN Nielsen & Associates, LLC, is approximately 20.6 percent above the Engineer's estimate and is considered too high for award. Therefore, their bid is considered non-responsive and rejected in the public's best interest.

The Director of Procurement and Materials Management has notified Path Construction Company, Kiewit Western Company, Madison Construction, Veolia ES Special Services, Inc., and F. H. Paschen, SN Nielsen & Associates, LLC, of this action.

The Maintenance and Operations Department will re-advertise the contract after reviewing and revising the contract documents.

Group A for Contract 10-780-11 was awarded at the Board meeting of September 2, 2010.

Respectfully Submitted, Darlene A. LoCascio, Director of Procurement and Materials Management,
DAL:SEB:klv