



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

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**On agenda:** 9/15/2016      **Final action:** 9/15/2016

**Title:** Authority to award Contract 15-072-3D, Safety Railing Around Tanks, Terrence J. O'Brien Water Reclamation Plant, to Fence Masters, Inc., in an amount not to exceed \$1,400,000.00, plus a five (5) percent allowance for change orders in an amount of \$70,000.00, for a total amount not to exceed \$1,470,000.00, Account 401-50000-645650, Requisition 1423508

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Contract 15-072-3D Revised Appendix D Report.pdf, 2. Contract 15-072-3D Project View.pdf

Date	Ver.	Action By	Action	Result
9/15/2016	1	Board of Commissioners	Approved	Pass
9/15/2016	1	Committee of the Whole	Recommended	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF SEPTEMBER 15, 2016

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 15-072-3D, Safety Railing Around Tanks, Terrence J. O'Brien Water Reclamation Plant, to Fence Masters, Inc., in an amount not to exceed \$1,400,000.00, plus a five (5) percent allowance for change orders in an amount of \$70,000.00, for a total amount not to exceed \$1,470,000.00, Account 401-50000-645650, Requisition 1423508

Dear Sir:

On April 7, 2016, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 15-072-3D, Safety Railing Around Tanks, Terrence J. O'Brien Reclamation Plant.

In response to a public advertisement of June 29, 2016, a bid opening was held on August 2, 2016. The bid tabulation for this contract is:

MORRISON CONSTRUCTION COMPANY, INC.	\$1,296,635.00
FENCE MASTERS, INC.	\$1,400,000.00
JOSEPH J. HENDERSON & SON, INC.	\$1,540,000.00
BROADWAY ELECTRIC, INC.	\$1,631,000.00
INDUSTRIAL FENCE, INC.	\$1,699,379.15
F.H. PASCHEN, SN NIELSEN & ASSOCIATES LLC	\$1,779,000.00
IHC CONSTRUCTION COMPANIES, LLC	\$1,782,800.00
WESTMONT ENGINEERING	*\$2,081,840.00

\*corrected total

One thousand twenty-two (1,022) companies were notified of this contract being advertised and twenty-six (26) companies requested specifications.

A review of the bid submitted by Morrison Construction Company, Inc., revealed that this firm did not comply with the Affirmative Action Ordinance, Revised Appendix D. The Utilization goals for this contract are 20 percent Minority Business Enterprise (MBE), 10 percent Women Business Enterprise (WBE), and 10 percent Small Business Enterprise (SBE). Morrison Construction Company, Inc.'s Utilization Plan reflects 18.74 percent MBE, 9.41 percent WBE and 0 percent SBE. In addition, Morrison Construction Company, Inc., did not submit a waiver request.

As a result, the bid submitted by Morrison Construction Company, Inc., is considered non-responsive in accordance with Section 12. Utilization Plan Submission under (b) bidder must either meet the Utilization Contract Goals or establish its Good Faith Efforts to do so as described in Appendix D and the solicitation; (c) Each Bidder's Utilization Plan shall commit to MBE, WBE or SBE participation equal to or greater than each of the Contract Goals set forth in the solicitation, unless the Bidder requests a partial or total waiver of the requirement...or achieve a particular goal by submitting with the bid a signed Waiver Request in the form specified in the solicitation; and (e) (v) Where the Director determines that a bidder has not made Good Faith Efforts, the Director shall declare the bid submission non-responsive and will reject the bid.

The Director of Procurement and Materials Management has informed Morrison Construction Company, Inc., of this action.

Fence Masters, Inc., the lowest responsible bidder is proposing to perform the contract in accordance with the specifications. The estimated cost for this contract was \$1,700,000.00, placing their bid of \$1,400,000.00 approximately 17.6 percent below the estimate.

Fence Masters, Inc., is in compliance with the Affirmative Action Ordinance, Revised Appendix D as indicated on the attached report. The Minority Business Enterprise (MBE), Women Business Enterprise (WBE) and Small Business Enterprise (SBE) utilization goals for this contract are 20 percent MBE, 10 percent WBE and bidder offers self to satisfy SBE participation.

Fence Masters, Inc., has executed the Multi-Project Labor Agreement (MPLA) certificate as required. It is anticipated that the following trades will be utilized on this contract: carpenters, steel erectors, and steel erector foreman. The list of construction trades is not intended to confer any rights or jurisdiction upon any union or unions.

The contract will require approximately seventeen (17) people for the services.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 15-072-3D to Fence Masters, Inc., in an amount not to exceed \$1,400,000.00, plus a five (5) percent allowance for change orders in an amount of \$70,000.00, for a total amount not to exceed \$1,470,000.00, subject to the contractor furnishing a performance bond in form satisfactory to the Law Department and approved by the Director of Procurement and Materials Management.

The estimated completion date is within 370 calendar days after approval of the Contractor's Bond.

Funds are available in Account 401-50000-645650.

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 September 15, 2016

Attachments