



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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File #: 15-0649, Version: 1

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### TRANSMITTAL LETTER FOR BOARD MEETING OF JUNE 18, 2015

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 15-665-11, Landscape and Native Prairie Landscape Maintenance at Various Service Areas, Group A to Christy Webber & Company, in an amount not to exceed \$1,323,000.00, and Group H to Native Landscape Contractors LLC, in an amount not to exceed \$438,724.00, Account 101-69000-612420, Requisition 1391280

Dear Sir:

On February 5, 2015, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 15-665-11, Landscape and Native Prairie Landscape Maintenance at Various Service Areas.

In response to a public advertisement of April 8, 2015, a bid opening was held on May 5, 2015. The bid tabulation for this contract is:

<u>GROUP A: STICKNEY WRP</u> CHRISTY WEBBER & COMPANY	\$1,323,000.00
<u>GROUP B: LASMA &amp; CALSMA</u> HERRERA LANDSCAPE, INC.	\$505,400.00
<u>GROUP C: CALUMET WRP</u> CHRISTY WEBBER & COMPANY	\$1,185,300.00
<u>GROUP D: O'BRIEN WRP</u> NO BIDS RECEIVED	
<u>GROUP E: HANOVER PARK WRP</u> NO BIDS RECEIVED	
<u>GROUP F: EGAN WRP</u> HERRERA LANDSCAPE, INC.	\$196,430.00
<u>GROUP G: KIRIE WRP</u> HERRERA LANDSCAPE, INC.	\$155,900.00
<u>GROUP H: DIST-WIDE NPL</u> TALLGRASS RESTORATION LLC NATIVE LANDSCAPE CONTRACTORS LLC DAVEY RESOURCE GROUP, DIV OF	\$422,380.00 \$438,724.00 *\$189,385,480.00

THE DAVEY TREE EXPERT COMPANY

\*corrected total

Four hundred thirty (430) companies were notified of this contract being advertised and twenty-five (25) companies requested specifications.

Christy Webber and Company, the lowest responsible bidder for Group A, is proposing to perform the contract in accordance with the specifications. The estimated cost for Group A was \$1,474,700.00, placing the bid of \$1,323,000.00, approximately 10.3 percent below the estimate.

Christy Webber and Company is in compliance with the Affirmative Action Interim Ordinance 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 10 percent MBE; the bidder offers themselves to satisfy WBE participation; and the bidder offers MBE credits to satisfy the Small Business Enterprise (SBE) participation.

Tallgrass Restoration, LLC, the lowest bidder for Group H, sent a letter to the District indicating they will not be able to comply with the Multi-Project Labor Agreement (MPLA). In accordance to the contract documents, the bid submitted by Tallgrass Restoration, LLC is considered non-responsive and rejected in the public's best interest. The Director of Procurement and Materials Management has notified Tallgrass Restoration, LLC of this action.

Native Landscape Contractors, LLC, the lowest responsible bidder for Group H, is proposing to perform the contract in accordance with the specifications. The estimated cost for Group H was \$493,000.00, placing the bid of \$438,724.00, approximately 11 percent below the estimate.

The Affirmative Action Interim Ordinance Appendix D was not included for Group E and H based on the review from the Diversity Administrator prior to advertising.

The contractors have executed the Multi-Project Labor Agreement (MPLA) certificate as required. It is anticipated that the following trades will be utilized on this contract: operating engineers and laborers. The list of construction trades is not intended to confer any rights or jurisdiction upon any union or unions.

The bid submitted by Christy Webber & Company for Group C, in the amount of \$1,185,300.00, is approximately 104 percent over the estimated cost of \$579,700.00 and is considered too high to award. Therefore, the bid is rejected in the public's best interest. The Director of Procurement and Materials Management has notified Christy Webber & Company of this action.

Herrera Landscape, Inc. (Herrera) submitted the low bids for Groups B, F and G. The Diversity Section reviewed the utilization plans submitted by Herrera for the above groups. Herrera only submitted one set of MBE and WBE utilization pages and one set of MBE, WBE and SBE subcontractor's letter of intent for Groups B, F and G with no information on how to apply the dollar values per each group.

The contract documents for 15-665-11 lists each Utilization Plan separately for each group, whereby each firm proposed to meet the contract goals would be listed and the dollar amount to be allocated to the certified firms. Herrera did not properly submit the compliance documents as provided in the contract documents nor did they provide the dollar amounts to be allocated to the certified firms for each group.

Herrera failed to comply with the Affirmative Action Interim Ordinance Appendix D Section 12 Utilization Plan Submission (a), (b) and (c).

(a) Compliance documents must be submitted as provided in the solicitation. Failure to do so will render

the bid non-responsive. The Director shall review each bid submission to determine if it meets the requirements herein.

- (b) A Bidder must either meet the Utilization Contract Goals or establish its Good Faith Efforts to do so as described in Appendix D and solicitation.
- (c) Each bidder shall submit with its bid a completed and signed Utilization Plan that lists the names, addresses, telephone numbers, email addresses and a description of the work with contract item number and contact person of the business intended to be used as subcontractors, subconsultants and suppliers, including those firms proposed to meet the Contract Goal(s); the type of work or service each business will perform; and the dollar amount to be allocated to the certified firm(s). 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 that it file a Utilization Plan or achieve a particular goal by submitting with the bid a signed Waiver Request in the form specified in the solicitation.

The Diversity Section recommends that the bid submitted by Herrera for Groups B, F and G be considered non-responsive and rejected for failure to comply with the Affirmative Action Interim Ordinance Appendix D. The Director of Procurement and Materials Management concurs with the Diversity Section and has informed Herrera of this action.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 15-665-11, Group A to Christy Webber & Company, in an amount not to exceed \$1,323,000.00, and Group H to Native Landscape Contractors LLC, in an amount not to exceed \$438,724.00, subject to the contractors furnishing a performance bond in form satisfactory to the Law Department and approved by the Director of Procurement and Materials Management.

Groups B, C, D, E, F and G will be re-advertised.

The contractor shall commence work upon approval of the contractor's bond and terminate four years thereafter, or upon expenditure of available funds, whichever occurs sooner.

The contract will employ approximately 35 to 40 people for the services.

Funds for the 2015 expenditures for Group A, in the amount of \$250,300.00, are available in Account 101-69000-612420. The estimated expenditures for 2016, 2017 and 2018 are \$363,300.00, \$363,300.00 and \$346,100.00, respectively. Funds for 2016, 2017 and 2018 expenditures are contingent on the Board of Commissioners' approval of the District's budget for that year.

Funds for the 2015 expenditures for Group H, in the amount of \$109,681.00, are available in Account 101-69000-612420. The estimated expenditures for 2016, 2017 and 2018 are \$109,681.00, \$109,681.00 and \$109,681.00, respectively. Funds for 2016, 2017 and 2018 expenditures are contingent on the Board of Commissioners' approval of the District's budget for that year.

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 June 18, 2015

Attachment