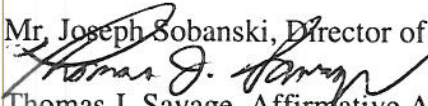


**Inter Office Memorandum**  
**METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO**

**DEPARTMENT:** General Administration/  
Affirmative Action **Date:** November 19, 2009

**TO:** Mr. Joseph Sobanski, Director of Engineering  


**FROM:** Thomas J. Savage, Affirmative Action Program Administrator

**SUBJECT:** **Contract 06-359-3S, Upper Des Plaines Intercepting Sewer 14A Rehabilitation, NSA**

**LOW BIDDER:** Spiniello Companies

The low bidder, Spiniello Companies, has submitted company information and "Protected Class Business Verification Forms", for the firms identified on the subject contract's Affirmative Action Revised Utilization Plan.

The PCE goals for the above contract are 5% MBE and/or WBE and 5% SBE. According to the contract's Utilization Plan, the low bidder has committed to the following goals:

<u>MBE</u>	<u>WBE</u>	<u>SBE</u>
5.4%	0%	5.3%

Therefore, the low bidder, Spiniello Companies, is in apparent compliance with the requirements of Appendix D.

TJS:RLM  
attachments

Cc: Darlene A. LoCascio, Director of Procurement & Materials Management

**EXHIBIT A**  
**METROPOLITAN WATER RECLAMATION DISTRICT OF**  
**GREATER CHICAGO**

**UTILIZATION PLAN**

For "Protected Class Enterprises" (PCEs) - Definitions for terms used below can be found in Appendix D: MBE - Section 5(c); WBE - Section 5(d); SBE - Section 5(e).

**NOTE: The Bidder shall submit with the Bid, originals or facsimile copies of all Exhibit B PCE Subcontractor's Letter of Intent furnished to all PCEs. IF A BIDDER FAILS TO INCLUDE signed copies of the Utilization Plan and all signed Exhibit B PCE Subcontractor's Letter of Intent with its bid, said bid will be deemed nonresponsive and rejected.**

**All Bidders must sign the signature page D-25 of the Utilization Plan, even if a waiver is requested.**

Name of Bidder: SPINIELLO COMPANIES

Contract No.: 06-359-38

Affirmative Action Contact & Phone No.: RALPH UZZI (973) 808-8383

Total Bid: \$ 13,664,000.00

**EXHIBITS A AND B MUST BE COMPLETED, SIGNED AND ACCOMPANY YOUR BID!!!**

750,480 ÷  
13,64,00 =  
0.05 \*  
0.00 \*

9, 2009

to on the Utilization Plan explicitly if the dollar amounts for the MBE participation will also be counted toward the participation. See Revised Appendix D, Section 6, Goals. e. (v)

**MBE UTILIZATION**

Name of MBE and contact person: DYONNE CONSTRUCTION - WALTER WARD  
Business Phone Number: (414) 551-6087  
Address: 2939 N. PALMER STREET, MILWAUKEE, WI 53212-2428  
Description of Work, Services or Supplies to be provided: MAN HOLE REHABILITATION, CCTV, STRUCTURAL RESTORATION  
CONTRACT ITEM NO.: LUMP SUM BID NO CONTRACT ITEM NO.  
Dollar Amount Participation: \$ 750,480.00

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

YES

NO

Exhibits A and B MUST Accompany the Bid!

**MBE UTILIZATION**

Name of MBE and contact person: \_\_\_\_\_  
Business Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
CONTRACT ITEM NO.: \_\_\_\_\_  
Dollar Amount Participation: \_\_\_\_\_

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

YES

NO

Exhibits A and B MUST Accompany the Bid!

**MBE UTILIZATION**

Name of MBE and contact person: \_\_\_\_\_  
Business Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
CONTRACT ITEM NO.: \_\_\_\_\_  
Dollar Amount Participation: \_\_\_\_\_

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

YES

NO

Exhibits A and B MUST Accompany the Bid!

(Attach additional sheets as needed)

Revised March 9, 2009

SBE UTILIZATION

Name of SBE and contact person: INDUSTRIAL + ENVIRONMENTAL SERVICES, LLC - SUDHIR MANTRI  
 Business Phone Number: (219) 939-5000  
 Address: 7550 EAST MELTON ROAD, GARY INDIANA, 46403  
 Description of Work, Services or Supplies to be provided: CLEANING OF PIPE, TRAFFIC CONTROL, AND SITE REMEDIATION  
 CONTRACT ITEM NO.: LUMP SUM BID NO CONTRACT ITEM NO.  
 Dollar Amount Participation: \$ 425,000.00

Exhibits A and B MUST Accompany the Bid !!!

SBE UTILIZATION

Name of SBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

~~0.00~~ \*  
 725,000.00 ÷  
 13,664,000.00 =  
 0.05 \*  
 0.00 \*  
 0.00 \*

Exhibits A and B MUST Accompany the Bid !!!

SBE UTILIZATION

Name of SBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

(Attach additional sheets as needed)

Exhibits A and B MUST Accompany the Bid !!!

Revised March 9, 2009

### EXHIBIT B PCE SUBCONTRACTOR'S LETTER OF INTENT

To: (Name of Bidder) SPINELLO COMPANIES and the MWRDGC

RE: Contract name: (Insert Name) Upper Des Plaines Interceptor Sewer (IYA) Rehabilitation, USA

Contract Number: (Insert Number) 06-359-3S

From: (Name of MBE/WBE/SBE Firm) BIONNE CONSTRUCTION

MBE: Yes  No

WBE: Yes  No

SBE: Yes  No

The MBE/WBE status of the undersigned is confirmed by the attached letter of Certification. A certification letter must be attached hereto.

The undersigned is prepared to provide the following described services or supply the following described goods in connection with the above named project/contract:

MAN HOLE REHABILITATION - Structural rehabilitation

CCTV

If more space is needed to fully describe the MBE/WBE/SBE firms' proposed scope of work and/or payment schedule, attach additional sheets.

The above described performance is offered for the following price:  
\$ 750,480.00 (Written in Figures) Seven Hundred + Fifty Thousand, Four Hundred + (Written in Words) Eighty Dollars

In the event of a discrepancy between the "written in Words" price and the "written in Figures" price, the "written in Words" price shall govern.

The undersigned will enter into a formal written agreement for the above work with the Prime Contractor, conditioned upon the execution of a contract by the Prime Contractor with the MWRDGC.

Walter J. Wood  
(Signature of Owner, President or Authorized Agent of MBE/WBE/SBE)

Walter J. Wood, President  
Name/Title (Print)

Date 10-20-09 Phone (414) 551-6087

**THIS SIGNED DOCUMENT MUST BE SUBMITTED WITH THE BID.  
FAILURE TO DO SO WILL RESULT IN A NONRESPONSIVE BID AND  
REJECTION OF THE BID.**

All bidders shall submit with the bid, copies of Exhibit B, PCE Subcontractor's Letter of Intent in paper form with signatures, which were furnished to each PCE listed in its Utilization Plan and must be submitted to the District with its bid as part of its bid packet with either a copy of each PCE's current Letter of Certification from a state or local government or agency or documentation demonstrating that the PCE is a MBE, WBE or SBE within the meaning of this Appendix D. Failure to submit the Exhibit B PCE Subcontractor's Letter of Intent signed by each PCE subcontractor will be viewed as nonresponsive and the bid will be rejected. All Exhibit B PCE Subcontractor's Letter of Intent must conform to the Utilization Plan submitted with the bid. An original or facsimile copy of Exhibit B PCE Subcontractor's Letter of Intent will be acceptable.

Revised March 9, 2002

**EXHIBIT B  
PCE SUBCONTRACTOR'S LETTER OF INTENT**

To: (Name of Bidder) SPINELLO COMPANIES and the MRDGC  
As: Contract name. (Insert name) Upper Deck Plaza Renovation, 14th St. & 1st St.,  
Contract Number. (Insert Number) 06-359-35  
From: (Name of MBE/WBE/SBE firm) INDUSTRIAL & ENVIRONMENTAL SERVICES, LLC  
MBE: Yes  No   
WBE: Yes  No   
SBE: Yes  No

The MBE/WBE status of the undersigned is confirmed by the attached letter of Certification. A certification letter must be attached hereto.

The undersigned is prepared to provide the following described services or supply the following described goods in connection with the above named project/contract:

Cleaning of pipe, traffic control, and site remediation

If more space is needed to fully describe the MBE/WBE/SBE firm's proposed scope of work and/or payment schedule, attach additional sheets.

The above described performance is offered for the following price:  
\$ 725,000.00 Seven Hundred + Twenty Five Thousand Dollars  
(Written in Figures) (Written in Words)

In the event of a discrepancy between the "Written in Words" price and the "Written in Figures" price, the "Written in Words" price shall govern."

The undersigned will enter into a formal written agreement for the above work with the Prime Contractor, conditioned upon the execution of a contract by the Prime contractor with the MRDGC.

Sudhir Mantri  
(Signature of Owner, President or Authorized Agent of MBE/WBE/SBE)  
SUDHIR MANTRI, PRINCIPAL  
Name/Title (Print)

Date 10-15-09 Phone 219-939-5000

**THIS SIGNED DOCUMENT MUST BE SUBMITTED WITH THE BID.  
FAILURE TO DO SO WILL RESULT IN A NONRESPONSIVE BID AND  
REJECTION OF THE BID.**

All bidders shall submit with the Bid, copies of Exhibit B, PCE Subcontractor's Letter of Intent in paper form with signatures, which were furnished to each PCE listed in its Utilization Plan and must be submitted to the District with its bid as part of its bid packet with either a copy of each PCE's current Letter of Certification from a state or local government or agency or documentation demonstrating that the PCE is a MBE, WBE or SBE within the meaning of this Appendix D. Failure to submit the Exhibit B PCE Subcontractor's Letter of Intent signed by each PCE subcontractor will be viewed as nonresponsive and the bid will be rejected. All Exhibit B PCE Subcontractor's Letter of Intent must conform to the Utilization Plan submitted with the bid. An original or facsimile copy of Exhibit B PCE Subcontractor's Letter of Intent will be acceptable.



**SIGNATURE**

On Behalf of SPINIELLO COMPANIES I/We hereby acknowledge that  
(name of company)

I/WE have read Appendix D, will comply with the provisions of Appendix D, and intend to use the MBEs, WBEs, and SBEs listed above in the performance of this contract and/or have completed the Waiver Request Form. To the best of my knowledge, information and belief, the facts and representations contained in this Exhibit are true, and no material facts have been omitted.

I do solemnly declare and affirm under penalties of perjury that the contents of the foregoing document are true and correct, and that I am authorized, on behalf of the bidder, to make this affidavit.

October 20<sup>th</sup>, 2009  
Date

  
Signature of Authorized officer

ATTEST:

EMIL J. SOLIMINE, VICE PRESIDENT  
Print name and title

Yvonne C. Johnston  
Secretary  
Yvonne C. Johnston

(973) 808-8383  
Phone number

**1) The Bidder is required to sign and execute this page, EVEN IF A WAIVER IS BEING REQUESTED.**

**2) Failure to do so will result in a nonresponsive bid and rejection of the bid.**

**3) If a waiver is requested, the bidder must also complete the following "WAIVER REQUEST FORM."**

Exhibits A and B MUST Accompany the Bid !!!