


INTEROFFICE MEMORANDUM

METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

DEPARTMENT: General Administration **DATE:** February 8, 2024
Diversity Section

TO: John P. Murray, Director of Maintenance and Operations

FROM: Richard L. Martinez, Jr., Acting Diversity Administrator 

SUBJECT: **Contract 24-627-12, Repairs to Air Compressors and Air Dryers at Various Locations (Re-Bid)**

LOW BIDDER: **Siemens Industry, Inc.**

The lowest responsive bidder, Siemens Industry, Inc. has submitted company information and “MBE/WBE/VBE Business Verification Forms” for the firms identified on the subject contract’s Affirmative Action Utilization Plan.

The MBE and WBE Utilization Goals for the above-mentioned contract are 20% MBE and/or WBE. According to the bidder’s Utilization Plan, the bidder has committed to the following goals:

MBE

*

WBE

*

Therefore, Siemens Industry, Inc. is in apparent compliance with the requirements of Affirmative Action Ordinance Revised Appendix D.

RLM:DAF

Attachment

c: LoCascio, Morakalis, Skawski, Cavaretta, O’Leary, File

*Bidder provided waiver for MBE and /or WBE participation and waiver was granted

**METROPOLITAN WATER RECLAMATION DISTRICT OF
GREATER CHICAGO**

MBE/WBE UTILIZATION PLAN

For Local and Small business entities - Definitions for terms used below can be found in Appendix D: MBE - Section 5(u); WBE - Section 5(ff); SBE - Section 5(z).

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

All Bidders must sign the signature page UP-4 of the Utilization Plan, even if a waiver is requested.

Name of Bidder: Siemens Industry, Inc

Contract No.: 24-627-12

Affirmative Action Contact & Phone No.: Ross Gerlack 414-217-6130

E-Mail Address: ross.gerlack@siemens.com

Total Bid: \$138,636.00

MBE/WBE UTILIZATION PLAN AND ALL SIGNED MBE/WBE SUBCONTRACTOR'S LETTER OF INTENT MUST BE COMPLETED, SIGNED AND ACCOMPANY YOUR BID!!!

MBE UTILIZATION

Name of MBE and contact person: _____

Business Phone Number: _____ Email Address: _____

Address: _____

Description of Work, Services or Supplies to be provided: _____

CONTRACT ITEM NO.: _____

Total Dollar Amount Participation: _____

The MBE/WBE Utilization Plan and the MBE/WBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

MBE UTILIZATION

Name of MBE and contact person: _____

Business Phone Number: _____ Email Address: _____

Address: _____

Description of Work, Services or Supplies to be provided: _____

CONTRACT ITEM NO.: _____

Total Dollar Amount Participation: _____

The MBE/WBE Utilization Plan and the MBE/WBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

MBE UTILIZATION

Name of MBE and contact person: _____

Business Phone Number: _____ Email Address: _____

Address: _____

Description of Work, Services or Supplies to be provided: _____

CONTRACT ITEM NO.: _____

Total Dollar Amount Participation: _____

The MBE/WBE Utilization Plan and the MBE/WBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

(Attach additional sheets as needed)

WBE UTILIZATION

Name of WBE and contact person: _____

Business Phone Number: _____ Email Address: _____

Address: _____

Description of Work, Services or Supplies to be provided: _____

CONTRACT ITEM NO.: _____

Total Dollar Amount Participation: _____

The MBE/WBE Utilization Plan and the MBE/WBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

WBE UTILIZATION

Name of WBE and contact person: _____

Business Phone Number: _____ Email Address: _____

Address: _____

Description of Work, Services or Supplies to be provided: _____

CONTRACT ITEM NO.: _____

Total Dollar Amount Participation: _____

The MBE/WBE Utilization Plan and the MBE/WBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

WBE UTILIZATION

Name of WBE and contact person: _____

Business Phone Number: _____ Email Address: _____

Address: _____

Description of Work, Services or Supplies to be provided: _____

CONTRACT ITEM NO.: _____

Total Dollar Amount Participation: _____

The MBE/WBE Utilization Plan and the MBE/WBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

(Attach additional sheets as needed)

SIGNATURE SECTION

On Behalf of Siemens Industry, Inc. I/We hereby acknowledge that
(name of company)

I/WE have read Revised Appendix D, will comply with the provisions of Revised Appendix D, and intend to use the MBEs and WBEs 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.

01/22/2024

Date



Electronically signed by:
Stephen Hassler
Date: Jan 22, 2024 18:12 CST

Signature of Authorized officer

ATTEST:

Stephen Hassler General Manager

Print name and title

Kristopher Saxsma Electronically signed by:
Kristopher Saxsma
Date: Jan 22, 2024 20:44 CST

Secretary

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."**

The MBE/ WBE Utilization Plan and the MBE/ WBE Subcontractor's Letter of Intent MUST Accompany the Bid !!!

WAIVER REQUEST FORM

If a waiver is requested, the Bidder is required to sign and execute this page.

Contract No.: 24-627-12

Name of Bidder: Siemens Industry, Inc.

Contact Person and Phone Number: Tom Ostrem 224-216-0864

With respect to the contract specified above, the Bidder hereby requests a total or partial waiver of the requirement that, pursuant to Section 15 (a)-(d) of the Affirmative Action Ordinance, Revised Appendix D, it files a MBE/WBE Utilization Plan or achieve a particular goal for MBE/WBE participation in the contract. The reasons for the request are as follows: Siemens accessed the MWRD website "https://apps.mwr.org/searchvendor/result.aspx" for MBE/WBE contractors. We called and sent emails to several of them but only one returned our call, Mid-City. They are a non-unoin shop and they were not familiar with the type of compressors listed in the RFP.

On Behalf of Siemens Industry, Inc. I/We hereby acknowledge that
(name of company)

I/WE have read Affirmative Action Ordinance, Revised Appendix D, will comply with the provisions of Affirmative Action Ordinance, Revised Appendix D, and intend to use the MBEs and WBEs listed in the MBE/WBE Utilization Plan in the performance of this contract and have completed the Waiver Request Form. To the best of my knowledge, information and belief, the facts and representations contained in this Waiver Request Form 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 contractor, to make this affidavit.

01/22/2024

Date

SL
Electronically signed by:
Stephen Hassler
Date: Jan 22, 2024 18:12 CST
Signature of Authorized officer

Stephen Hassler General Manager

Print name and title

ATTEST:

Kristopher Saxsma Electronically signed by:
Kristopher Saxsma
Date: Jan 22, 2024 20:44 CST
Secretary

Phone number

NOTE TO BIDDERS

All Waiver requests are evaluated carefully by the District. **The evaluation is based on your firm's documented GOOD FAITH EFFORTS.**


The GOOD FAITH EFFORTS MUST be Undertaken PRIOR to your bid submittal to the District.
Good Faith Efforts are identified on pp. D21-D22, Section 15. Utilization Plan Submission (e), (i)(1)-(8).

The MBE/ WBE Utilization Plan and the MBE/ WBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

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

DEPARTMENT: General Administration **DATE:** February 8, 2024
Diversity Section

TO: Darlene A. LoCascio, Director of Procurement and Materials Management

FROM: Richard L. Martinez, Jr., Acting Diversity Administrator 

SUBJECT: Review of Utilization Plan of the Bidder on Contract 24-627-12 – Repairs to Air Compressors and Air Dryers at Various Locations (Re-Bid)

The bidder's waiver request under investigation on the above cited contract is Siemens Industry, Inc. and this report provides data on whether this waiver request is in compliance with the Affirmative Action Ordinance Revised Appendix D.

A. Utilization Plan

The Affirmative Action utilization goals applicable to the contract are 20% MBE and/or WBE. The Affirmative Action Ordinance Revised Appendix D in force on this contract is dated December 31, 2022.

Siemens Industry, Inc. submitted a bid, which was received and opened on January 23, 2024, for \$138,840.00. The utilization plan submitted with the bid by Siemens Industry, Inc. reflected the following MBE and WBE participation:

MBE Participation	0%
WBE Participation	0%

In accordance with Section 15. Utilization Plan Submission (c)

...Each Bidder's Utilization Plan must commit to MBE or WBE participation equal to or greater than each of the Contract Goals set forth in the bid 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."

B. Review of Good Faith Efforts

We have reviewed the request made by Siemens Industry, Inc. for a waiver and its good faith efforts to utilize MBEs and/or WBEs. Included, as a part of this review is an examination of whether Siemens Industry, Inc. has taken the actions specified in **Section 15 Utilization Plan Submission (e)**.