

INTEROFFICE MEMORANDUM
METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

DEPARTMENT: General Administration
Diversity Section

DATE: June 4, 2024

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

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

SUBJECT: **Contract 20-861-2E, Replacement of Telemetry, Various Locations**

The Diversity Section reviewed the Utilization Plan submitted by Broadway Electric, Inc. for the subject contract. Our review determined that the Utilization Plan submitted does not meet the requirements set forth in the Affirmative Action Ordinance Revised Appendix D, dated December 31, 2022.

The Bidder's Utilization Plan listed subcontractors Pagoda Electric and Construction, Inc. as MBE participation, Evergreen Supply Co. for WBE participation, and American First Contracting, Inc. for VBE participation. Evergreen Supply Co. failed to sign the required Letter of Intent for its participation as a WBE for the bid.

The Affirmative Action Ordinance Revised Appendix D states the following:

Section 15. *Utilization Plan Submission*

(d) Each Bidder must submit with its bid a signed MBE/WBE Subcontractor's Letter of Intent for each business proposed to meet the Contract Goals in the form specified in the bid solicitation, with a copy of each MBE or WBE current Letter of Certification from a state or local government or agency, or documentation demonstrating that the business is a MBE or WBE within the meaning of this Revised Appendix D.

Section 16. *Bid Submission in Compliance Review*

(a) The Director, in coordination with the Administrator, will declare a bid submission non-responsive if a Bidder:

- (i) Failed to submit with its bid a completed and signed Utilization Plan and signed MBE/WBE Subcontractor's Letter of Intent from each MBE and WBE listed on its Utilization Plan.

Therefore, the bid submission of Broadway Electric, Inc. should be viewed as non-responsive for failure to comply with the Affirmative Action Ordinance Revised Appendix D, as stated above.

Should you have any questions, please contact Desirée Foster, Diversity Officer at (312) 751-4036.

RLM:DAF

c: C. O'Connor, L. Cornier, S. Morakalis, N. Lopez, M. Valdez, N. Patel, file