

INTEROFFICE MEMORANDUM
METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

DEPARTMENT: General Administration,
Diversity Section

DATE: July 14, 2026

TO: James Fisher, Acting Director of Human Resources

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

Richard L. Martinez, Jr.

SUBJECT: Review of Contract 27-348-11 Services to Remove Hazardous Materials from Various District Locations, on an as Needed Basis, for a Three (3) Year Period

We have reviewed the specifications for the subject contract and the material, labor, and equipment breakdown. The work under this contract should be classified as “General Construction Services”. The associated Minority Business Enterprise (MBE), Women Business Enterprise (WBE), and Veteran-Owned Business Enterprise (VBE) individual goals are: **15% MBE and/or WBE, and 3% VBE**. The goals should be specified in the Invitation to Bid, the Proposal, and the Agreement. **The MBE and WBE goals do not apply to items in the contract specified as allowances, contingencies, and unit price.**

In addition:

- A Pre-Bid Conference should be conducted.
- A Suppliers Exception **has not** been recommended.
- The Affirmative Action Ordinance Revised Appendix D, dated December 31, 2022, **must** be included.
- Assist Agencies List **must** be included.
- Appendix V **must** be included
- The following language must be included: “The Contractor must use the District’s online compliance monitoring system administrated by the Diversity Section for payment and reporting purposes, in order to fulfill the Affirmative Action program requirements.”

Also, please refer to the attached **Revised** memo, June 14, 2023, for new boiler plate language. This language should be consistent in its incorporation in the Invitation to Bid, the Proposal, and the Agreement.

If you have any questions, please contact Diversity Officer, Shanice Rich, at extension 1-3272.

RLM:SMR

Attachments

c: LoCascio, Morakalis, Ambrose, Garcia, Baldwin, Cornier, Kunnath, Lopez, Valdez, B. Moore

INTEROFFICE MEMORANDUM

METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

DEPARTMENT: General Administration
Diversity Section

DATE: June 14, 2023

TO: Department Heads, Mmes. Riedle and Boyle

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

SUBJECT: 2022 Affirmative Action Ordinance Revised Appendix D 2019 Appendix V – Bid Responsiveness

On December 1, 2022, the **Affirmative Action Ordinance, Revised Appendix D** was revised and adopted by the Board of Commissioners. Accordingly, all contracts that contain Affirmative Action Goals must include the Revised Appendix D effective December 31, 2022. This change will apply to all contracts advertised after December 31, 2022.

On November 15, 2018, the **Appendix V** was adopted by the Board of Commissioners. Accordingly, all contracts that contain Veteran Participation Goals must include the Appendix V effective January 1, 2019. This change will apply to all contracts advertised after January 1, 2019.

The following language must be included in the Invitation to Bid, the Proposal, and the Agreement. The Ordinance sets the parameters of the process affecting the MBE/WBE Utilization Plan and the MBE/WBE Subcontractor's Letter of Intent. The Appendix V sets the parameters of the process affecting the VBE Commitment Form.

1. Each Bidder must submit with their proposals a signed and completed **MBE/WBE Utilization Plan** which lists each business intended to be used as a MBE and WBE on pages UP-2 and UP-3 and supplemental pages as necessary. **The Bidder must sign the Signature Section page on UP-4.** Failure to submit a signed MBE/WBE Utilization Plan will result in a bid being deemed non-responsive and the bid will be rejected. Also, if a Waiver is sought, the Bidder is required to sign pages UP-4 and UP-5, the Waiver Request Form; failure to do so will be viewed as non-responsive and the bid will be rejected.
2. Each Bidder must submit **with their bid package** an original or facsimile copy of the **MBE/WBE Subcontractor's Letter of Intent, page UP-6** for each subcontractor listed on their MBE/WBE Utilization Plan. The submitted MBE/WBE Subcontractor's Letter of Intent must be completed and signed by the subcontractor and accompanied with a copy of the subcontractor's current Letter of Certification from a state, local government or agency or documentation demonstrating that the subcontractor is a MBE or WBE within the meaning of the **Affirmative Action Ordinance, Revised Appendix D**. Failure to submit the MBE/WBE Utilization Plan signed by the Bidder at the time of the bid opening and the MBE/WBE Subcontractor's Letter of Intent signed by each MBE and WBE will be viewed as non-responsive and the bid will be rejected.
3. If the Bidder exceeds the allowable **Supplier Utilization** amount which is stated in the bid documents, the bid will be viewed as non-responsive. Therefore, the Bidder may not exceed the use of a MBE or WBE supplier for more than 50% of each respective MBE or WBE, goal, unless the Administrator has authorized a Supplier's Exception notated on page AU-1.

4. Each Bidder must submit with their proposals a completed **VBE Commitment Form** which lists each business intended to be used as a VBE. The Bidder must make a **“Good Faith Effort”** to identify eligible Veteran Owned-Businesses by completing the VBE Commitment Form. If the Bidder is unable to identify qualified VBE subcontractors capable of providing goods or services required by the contract, the Bidder must write **“no participation”** on the VBE Commitment Form. Where a Bidder has failed to meet the VBE participation goal, the Administrator shall require the Contractor to submit a Veteran’s Business Enterprise Good Faith Efforts Documentation Request Form and provide additional documentation of its good faith efforts in attempting to fulfill the VBE goal.
5. **The Contractor must use the District’s online compliance monitoring system administered by the Diversity Section for payment and reporting purposes, in order to fulfill the Affirmative Action Program requirements.**

Should you have any questions please contact Richard L. Martinez, Jr. on ext. 14034.

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