

Metropolitan Council

Meeting date: May 8, 2013

Subject: Reconsideration of Business Item 2013-117, Authorization to Award and Execute Construction Contract for East Bethel Reclaimed Water Distribution System

District(s), Member(s): All

Policy/Legal Reference: 3-3 Expenditures

Staff Prepared/Presented: Bryce Pickart 651-602-1091

Division/Department: MCES c/o Leisa Thompson 651-602-8101

Proposed Action

That the Metropolitan Council rescind the contract award to S.M. Hentges and Sons, Inc. for construction of the East Bethel Reclaimed Water Distribution System and authorize re-bidding this construction contract.

Background

SR Weidema, Inc. had the lowest bid for this contract but was not awarded the contract because it was found not to have made good faith efforts towards the Metropolitan Council Underutilized Business Program (MCUB) goals. The contract was then awarded to S.M. Hentges and Sons, Inc. Following award of this construction contract by the Council on April 10, 2013, SR Weidema protested the contract award. Specifically SR Weidema protested the MCUB participation component of the bidding process. As a result of the consideration of this bid protest, staff has identified aspects of the MCUB portion of the bidding process which should be clarified. Staff believes that it is in the public interest to clarify MCUB bidding procedures and to re-bid this contract.