

Committee Report

Environment Committee



Committee Meeting Date: February 27, 2024

For the Metropolitan Council: March 13, 2024

Business Item: 2024-54

Master Contract for Engineering Services: Electrical & Steam Turbine Generator- Rejection of Proposals

Proposed Action

That the Metropolitan Council authorize the Regional Administrator to reject all proposals for contract 23P048.

Summary of Environment Committee Discussion/Questions

- CM Carter asked: Has the Disadvantaged Business Enterprise (DBE) goal been missed in the past? How often does something like this happen?
- Staff responded: This is very unusual. To my knowledge this is the first time it has happened. There is typically a normal workflow but in this situation a glitch occurred that IS looking into. It bypassed the Office of Equity and Equal Opportunity (OEEO) so they didn't have a chance to review it. We are looking into the entire system to ensure we close the gaps and that this doesn't happen again.
- CM Wulff asked: What was the DBE goal supposed to be?
- Staff stated: I cannot state at the moment due to the public nature of this meeting, but I can share this at a later time.
- CM Cederberg asked: Did any of the selected proposals have DBE in their submission?
- Staff responded: No they did not.

Motion by CM Morales, seconded by CM Carter. Motion carried.

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District(s), Member(s):	All
Policy/Legal Reference:	FM 14-2 - Expenditures for the Procurement of Goods, Services, and Real Estate Policy
Staff Prepared/Presented:	Rene Heflin, Manager, Plant Engineering, 651-602-1077 / Craig Edlund, Assistant General Manager Treatment Services, 651-602-8383
Division/Department:	MCES c/o Leisa Thompson, 651-602-8101

Proposed Action

That the Metropolitan Council authorize the Regional Administrator to reject all proposals for contract 23P048.

Background

These engineering services are needed to support the 2023-2028 Authorized Capital Program.

The Request for Proposals (RFP) was issued July 6, 2023, without a Disadvantaged Business Enterprise (DBE) goal. The DBE goal that was established by OEE0 was not included in the RFP due to a technical error.

The Council received three proposals to be evaluated for the consideration of award.

In accordance with the Brooks Act, the evaluation of proposals followed a two-step process: an evaluation panel selected the most technically qualified proposers, and a negotiation panel reviewed the cost data. Panel members agreed the final prices were fair and reasonable and recommended the proposals submitted as the most advantageous to the Council.

Omission of the DBE goal was discovered during the business item review. Due to this discovery, MCES recommends that all proposals for this contract be rejected.

Rationale

The rejection of proposals exceeding \$500,000 requires Council approval.

Thrive Lens Analysis

This action advances the Thrive outcomes of Stewardship and Equity. Rejecting all proposals will allow for DBE opportunities to apply to these services.

Funding

Proposed action requires no funding.

Small Business Inclusion

Rejecting all proposals will allow for DBE opportunities to apply to these services.

