



Department of Civil Rights

Velma J. Korbel

Director

350 South 5th Street - Room 239
Minneapolis MN 55415-1369

Office 612 673-3012

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February 6, 2013

Nick Meisinger
Meisinger Construction
121 Bridgepoint Way
South St. Paul, MN 55075

SENT VIA E-MAIL

RE: OP-7746 – Bids for Phase III Cemetery Fence Restoration Project

Dear Mr. Meisinger:

The Minneapolis Department of Civil Rights (MDCR) has concluded its pre-award Small Underutilized Business Participation (SUBP) review related to Meisinger Construction's bid for the OP 7746 – Bids for Phase III Cemetery Fence Restoration Project. We regret to inform you that MDCR will not be recommending Meisinger Construction for approval on this project.

As indicated in the bid documents, goals for the participation of certified Minority and Woman owned businesses (MBE/WBE) were set at 2% MBE and 2% WBE. Our records indicate that the participation levels submitted by Meisinger Construction did not meet the established MBE goal. Therefore, MDCR was required to investigate what efforts were made prior to bid submission.

According to Chapter 423 of Minneapolis Code of Ordinances, bidders shall make and document every reasonable effort to include qualified firms owned by women and minority persons. The criteria for "good faith efforts" have been established by the City of Minneapolis and are documented in the bid specifications. MDCR has determined that your company did not engage in "good faith efforts" to contract with MNUCP certified MBE firms prior to bid.

After careful examination of all documentation submitted by Meisinger Construction it appears that your firm only solicited three MBE firms, via an email sent on Friday, January 18; bids were due to the City of Minneapolis on Tuesday, January 22 and Monday, January 21 was a recognized holiday. Meisinger Construction only provided one business day for solicited MBE firms to return a bid price for the project.

Although your email does indicate the opportunity for subcontracting in the areas of earthwork, landscaping, concrete/masonry, fencing repair, and fencing removal and installation the documentation provided indicates only MBE firms in the area of landscaping and concrete/masonry were contacted.



City Information
and Services

www.ci.minneapolis.mn.us

Affirmative Action Employer

No documentation was provided that indicates that any follow up was made with any MBE firms. The documentation provided does not demonstrate that Meisinger Construction, Inc. made reasonable efforts to afford the maximum feasible opportunity to certified MBE/WBE firms as required by the bid documents, Chapter 423 and 139.50(a)(6) of the Code of Ordinances.

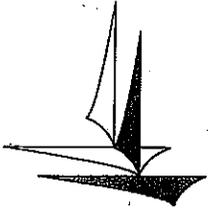
For the reasons listed above MDCR will not recommend approval of Meisinger Construction for the Minneapolis Public Works Phase III Cemetery Fence Restoration Project.

If you have any questions please contact me at 612-673-3076 or at michael.mchugh@minneapolismn.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael McHugh", written over a horizontal line.

Michael McHugh, Assistant Director
Minneapolis Department of Civil Rights – Contract Compliance Unit.



Minneapolis
City of Lakes

Finance Department

350 South 5th Street – Room 325M
Minneapolis MN 55415-1315

Office 612 673-2079
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February 6, 2013

Mr. David Schlueter
City of Minneapolis Purchasing
330 Second Avenue South – Suite 552
Minneapolis, MN 55401

**Re: Pioneers & Soldiers Cemetery Phase III Fence Restoration Project
Official Publication No. 7746**

Dear Mr. Schlueter:

The Department of Finance - Property Services Division has reviewed the bid of **Terra General Contractors, LLC** for the Phase III Fence Restoration Project at the Pioneers & Soldiers Cemetery, located at; 2925 Cedar Avenue S, Minneapolis, Minnesota.

The Department of Finance finds the base bid in the amount of **\$262,262.00** acceptable and Recommends referral of the 2nd Low Qualified Bid to the Transportation & Public Works Committee and the Ways and Means Committee for acceptance and referral to the full City Council after the 1st Low Qualified Bidder was rejected the City of Minneapolis Department of Civil Rights.

Sincerely,

Chris Backes
Construction Management Coordinator
Property Services
350 S. 5th St. Room 223
Minneapolis, MN. 55415-1390
(612)673-3774



