



March 20, 2013

Finance Department

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

Office 612 673-2079
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Mr. David Schlueter
City of Minneapolis Purchasing
330 Second Avenue South - Suite 552
Minneapolis, MN 55401

Re: EOTF Backup Generator Project

Official Publication No. 7761

Dear Mr. Schlueter:

The Department of Finance - Property Services Division has reviewed the bid of **Preferred Electric, Inc.** for the Backup Generator Project at the Emergency Operations Training Facility, located at; 25 37th Avenue NE, Fridley, Minnesota.

The Department of Finance finds the base bid in the amount of **\$144,200.00**, Alternate No. 1 in the amount of **\$30,000.00**, and Alternate No. 2 in the amount of **\$3,000.00**, for a total bid of **\$177,200.00** acceptable and Recommends referral of the Low Qualified Bid to the Ways and Means Committee for acceptance and referral to the full City Council after the previous low bidder was rejected the City of Minneapolis Civil Right Department.

Sincerely,

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





March 13, 2013

Sent via email

Kilmer Electric Company
Mr. Stephen Ellenbecker
5141 Lakeland Ave North
Crystal, Minnesota 55429

RE: Good Faith Efforts Review – OP 7761 – Bids for Emergency Operations Training Facility Backup

Dear Mr. Ellenbecker:

The Minneapolis Department of Civil Rights (MDCR) has concluded its pre-award Small Underutilized Business Participation (SUBP) review related to O.P. #7761. We regret to inform you that MDCR has concluded that Kilmer Electric Company did not make a Good Faith Effort to achieve the goals as required under the Small and Underutilized Business Program (SUBP).

According to Chapter 423 of the Minneapolis Code of Ordinances, bidders must "make every necessary and reasonable effort to subcontract work to MBEs/WBEs in advance of the dates specified for submitting and opening of bids or requests for proposals." A bidder not fully meeting the SUBP goals shall demonstrate its good faith efforts to do so and MDCR "shall determine if a business has made adequate good faith efforts. If a bidder or proposer fails to meet the project goals and does not demonstrate good faith efforts, the bid or proposal may be rejected and the bidder or proposer shall not be awarded the contract."

The goals and GFE requirements on this project are detailed in the project specifications and were explained at the pre-bid meeting. The SUBP form submitted with Kilmer Electric Company's bid listed zero participation of MBE/WBE companies. Therefore, MDCR conducted a GFE review and concluded that Kilmer Electric Company did not:

- solicit a sufficient number MBE/WBE participation
- give sufficient response time to MBE/WBE solicited
- break contract into smaller units to facilitate MBE/WBE participation.

For the reasons explained above, MDCR will not recommend approval of Kilmer Electric Company for the OP 7761 – Bids for Emergency Operations Training Facility Backup.

Should you have any questions, please contact me at michaelmchugh@minneapolismn.gov or (612) 673-3076.

Sincerely,

Michael McHugh, Assistant Director
Contract Compliance Division

cc: Peggy O'Brien
Dave Schlueter
Chris Backes

Department of Civil Rights
Velma J. Korbel
Director

350 South 5th Street - Room 239
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