

TAB I: Assessing Responsiveness

version: 2/22/2017

PROJECT:	O'Shaughnessy Hydro Turbine Facility Improvements	Bid Date:	July 29, 2020
Department/Division:	Public Utilities / Water	Initial Apparent Low Bidder:	Gracon
Section:	Tech. Support / Supply	Initial Apparent Low Bid :	\$ 14,463,800.00

Bids from Apparent lowest to highest:		Apparent Low	2nd	3rd	4th	5th	6th
CIP No.	690444-100000	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME
Project Manager:	Todd Krenelka, P.E.	Gracon					
Engineer's Estimate:	\$12,241,964.00	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount
		\$14,463,800.00					
		-100.00%					

PART IA: Responsiveness Criteria, General Provisions (329.20)		INPUT "YES" FOR POSITIVE RESPONSE OR "NO" FOR NEGATIVE RESPONSE (all "yes" answers needed for responsive bid)					
a	The bidder is pre-qualified responsible or prequalified provisionally responsible at time of bid due date. (329.20)(c)	YES					
b	The bid contains the full name of every person or company interested in the same and such other relevant information as the city agency deems appropriate. (329.20)(g) FORM B1	YES					
c	The bidder submitted , with bid, an affidavit stating: (1) That as of the date of bid submission, there have been no changes in the information disclosed in its application for responsibility prequalification; or (2) That changes in the information disclosed in the bidder's application for responsibility prequalification have been reported to director of finance and management or designee and that the bidder is still prequalified responsible or provisionally responsible. (329.20)(d) FORM B9	YES					
d	There is no evidence of collusion among the bidders. (329.20)(e)	NA					
BID IS:		RESPONSIVE					

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PART IB: Responsiveness Criteria, Subcontractors (329.20)		INPUT "YES" FOR POSITIVE RESPONSE OR "NO" FOR NEGATIVE RESPONSE (all "yes" answers needed for responsive bid)					
a	The bidder provided a list of subcontractors with bid or indicated there were not any subcontracting opportunities. (329.20)(h)(1) FORM B5	YES					
b	If subcontractors are listed, Bidder indicated which subcontractors are licensed construction trade subcontractors. (329.20)(h)(2) FORM B6 (If no licensed trade subcontractors are listed, enter "NA")	NA					
c	If licensed trade subcontractors are listed, the bidder proposed pre-qualified responsible or provisionally responsible licensed trade subcontractors. (329.20)(h) (If no licensed trade subcontractors are listed, enter "NA")	NA					
d	If subcontractors are listed, the bidder listed the division/section of work under which the sub is performing. (329.20)(h)(5) (If no licensed trade subcontractors are listed, enter "NA") FORM B6	NA					
e	If subcontractors are listed and the bidder listed more than one subcontractor per division/section of work, did the bidder explain why more than one sub is listed for the division/section of work? (329.20)(h)(5) (If no licensed trade subcontractors are listed, enter "NA") FORM B6	NA					
f	Bidder stated, via affidavit , that its proposed licensed construction trade subcontractors are pre-qualified responsible or provisionally responsible. (329.20)(h)(3) Form B9 (If no licensed trade subcontractors are listed, enter "NA")	NA					
g	Bidder did not bid subcontractors who were currently suspended or debarred by the city. (329.20)(h)(4) (see links on Tab 5)	YES					
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PART IC: Responsiveness Criteria, Bid Specific (329.23)		INPUT "YES" FOR POSITIVE RESPONSE OR "NO" FOR NEGATIVE RESPONSE (all "yes" answers needed for responsive bid)					
a	Bidder did not submit more than one bid for same work. (See referenced code section for full text.) (329.23)(f)(1)(a)	YES					
b	Bidder acknowledged addenda. (329.23)(f)(1)(e) BID SIGNATURE PAGE, page 2	YES					
c	Bidder complied with technical pre-qualification requirements/specification requirements where applicable. (329.23)(f)(1)(c)	NA					
d	The bid contains no conditions or qualifications not provided in the invitation for bid. (329.23)(f)(1)(d)	NA					
e	Bidder added no provisions reserving right to accept or reject award. (329.23)(f)(1)(f)	NA					
f	Bidder submitted a bid guarantee. (329.23)(f)(1)(i) FORM B2, FORM B3	YES					
g	Bidder did not submit an irregular bid guarantee. (329.23)(f)(1)(i) FORM B2, FORM B3	YES					
h	Bid prices are materially balanced. (329.23)(f)(1)(b) FORM B4	YES					
i	Bid contains no irregularities or deviations from the bid that affect bid amount. (329.23)(f)(1)(j) and (329.23)(f)(1)(e)	NA					
j	Bidder submitted a unit price for each contract item listed, if required. (329.23)(f)(1)(g) FORM B4 (If a unit price is not an option, enter "NA")	YES					
k	Bidder submitted a lump sum price if required . (329.23)(f)(1)(h) FORM B4 (If lump sum is not an option, enter "NA")	YES					
l	Bidder has complied with section 329.20(h) regarding subcontractors. (329.23)(f)(1)(k) FORM B6	YES					
m	Bid does not contain alterations, omissions, errors, such that it does respond to the bid documents. (329.23)(f)(1)(j)	NA					
n	Bid responds to bid documents in all material respects. (329.23)(f)(1)(e)	NA					

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Engineer's Estimate:	\$12,241,964.00	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount
		\$14,463,800.00					
o	Bid is complete. (329.23)(f)(1)(e)	YES					
	BID IS:	RESPONSIVE					

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		\$14,463,800.00					

PART ID: Responsiveness Criteria, Contract Compliance		A "no" answer in Part IE will not necessarily render a bid non-responsive. Bidder must have a valid contract compliance no. prior to contract execution.					
a	The "Evaluated Low Bidder" has an active contract compliance number at the time of bid.	YES		YES	YES	YES	YES

Bid Responsivness, Waiver Considerations:	Bid Responsive, Continue to Part II	Waiver Legislation Required to Contract; Contact Fiscal Office	Waiver Legislation Required to Contract; Contact Fiscal Office	Waiver Legislation Required to Contract; Contact Fiscal Office	Waiver Legislation Required to Contract; Contact Fiscal Office	Waiver Legislation Required to Contract; Contact Fiscal Office
Proceed to Part II?	YES					

LOWEST RESPONSIVE BID, TAB I	\$ 14,463,800.00	Manually Enter Amount
LOWEST RESPONSIVE BIDDER, TAB I	Gracon	Manually Enter Information

TAB II: Assessing Responsibility

PROJECT:	O'Shaughnessy Hydro Turbine Facility Improvements	Bid Date:	July 29, 2020
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Department/Division:	Public Utilities / Water	Responsive Low Bidder (from Tab I):	Gracon
Section:	Tech. Support / Supply	Responsive Low Bid (from Tab I):	\$ 14,463,800.00

CIP No.	690444-100000	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME
Project Manager:	Todd Krenelka, P.E.	Gracon	NA	NA	NA	NA	NA
Engineer's Estimate:	\$ 12,241,964.00	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount
		\$ 14,463,800.00	0	0	0	0	0

PART IIA: 329.23 (2) Responsibility Criteria		INPUT "YES" FOR POSITIVE RESPONSE OR "NO" FOR NEGATIVE RESPONSE (1 point for each "yes", 0 for "no")					
a	Based on bid amount (as compared to other bids) no further documentation needed (i.e., bid statistically comparable to others). FORM B3- Bid Price and Amount	NA					
b	The bidder has demonstrated to the city's satisfaction adequate and appropriate SPECIALIZED EQUIPMENT for the project. FORM B6, Experience, Comptency & Resources	NA					
c	The bidder has demonstrated to the city's satisfaction adequate and appropriate HUMAN RESOURCES for the project. FORM B6, Experience, Comptency & Resources	YES					
d	The bidder has actively engaged in the construction industry. FORM B6, Experience, Comptency & Resources	YES					
e	The bidder has experience in the area of construction service for which the bid has been submitted. FORM B6, Experience, Comptency & Resources	YES					
f	The bidder has a successful record of complying with and meeting completion deadlines. FORM B7	YES					
g	The bidder has a successful record of controlling costs on similar construction projects. FORM B7	YES					
h	The bidder has no (substantial) uncompleted work that would hinder the success of the project. FORM B8	YES					
Responsibility Score:		6	0	0	0	0	0
Continue to TAB 3?		YES					

↑
Manually Enter Information

TAB III. Assessing Local Bidder

PROJECT:	O'Shaughnessy Hydro Turbine Facility Improvements	Bid Date:	July 29, 2020
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Department/Division:	Public Utilities / Water	Evaluated Low Bidder (from Tabs I and II):	Gracon
Section:	Tech. Support / Supply	Evaluated Low Bid (from Tabs I and II) :	\$ 14,463,800.00

CIP No.	690444-100000	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME
Project Manager:	Todd Krenelka, P.E.	Gracon	NA	NA	NA	NA	NA
Engineer's Estimate:	\$ 12,241,964.00	Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount
		\$ 14,463,800.00	NA	NA	NA	NA	NA
PART III: 329.(01)(u) and 329.212 Local Bidder							

IS BID LOCAL?	NO						
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To look up if a bidder is local, use the Office of Construction Prequalification's list located at [X:\Construction Prequalification](#)

PART IIIA:	
step 1	<p>IF APPARENT LOW BID IN PART II IS LOCAL STOP. Skip steps 2-5 and enter data in Steps 6 & 7 and continue to TAB IV.</p> <p>IF APPARENT LOW BID IN PART II IS NOT LOCAL, CONTINUE TO TO STEP 2 (see above for apparent low bid and bidder information)</p>

Part IIIB:							
step 2	Percentage difference of bid from apparent NON-LOCAL, LOW BID.	0.000%	NA	NA	NA	NA	NA
step 3	Is amount in prior step WITHIN ONE PERCENT (1%) OF THE LOW BID?	YES	NA	NA	NA	NA	NA
step 4	If step 3 is "yes", SEE PROCEDURES ON SHAREPOINT SITE. DID AGENCY FOLLOW PROCEDURES FOR BIDDER RELATING TO CITY CODE SECTIONS 329.212 (INDICATE IF NA)?						
step 5	INPUT NEW BID AMOUNT FOR BIDDER, IF APPLICABLE, OR ZERO (\$0)						

Part IIIC:	
step 6	<p>REVISED LOW BID AMOUNT, TAB IIIB:</p> <p>\$ 14,463,800.00</p>
step 7	<p>REVISED LOW BIDDER, TAB IIIB:</p> <p>Gracon</p>

Manually Enter Amount

Manually Enter Information

TAB IV. Calculating Environmental Preference

PROJECT:	O'Shaughnessy Hydro Turbine Facility Improvements	Bid Date:	July 29, 2020
Department/Division:	Public Utilities / Water	Evaluated Low Bidder (from Tabs I, II and III):	Gracon
Section:	Tech. Support / Supply	Evaluated Low Bid (from Tabs I, II and III) :	\$ 14,463,800

CIP No.	690444-100000	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME
Project Manager:	Todd Krenelka, P.E.	Gracon	NA	NA	NA	NA	NA
Engineer's Estimate:	\$ 12,241,964.00	Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount
		\$ 14,463,800.00	NA	NA	NA	NA	NA
PART IV: 329.(17) Environmental Preference							
Apparent Low Bid:	\$ 14,463,800.00	Apparent Low Bidder:	Gracon				

PART IV: 329.(17) Environmental Preference							
step 1	Did apparent/evaluated low bidder submit "environmentally preferable" bid? Answer "YES" or "NO" for apparent low bidder. For all other bidder's, input "NA"	YES					
step 2	Excluding apparent low bidder, did bidder submit "environmentally preferable" bid?	NA					
step 3	STOP: If apparent/evaluated low bidder submitted an environmentally preferable bid, then the apparent/evaluated low bidder is lead bidder for Tab 4. Ignore the data in Steps 4-6, complete Step 7, and proceed to Tab 5. If the apparent/evaluated low bidder did not submit an environmentally preferable bid, proceed to Steps 6 and 7.						
step 4	Calculate environmental preference for each bid. It is up to five percent (5%) of the non-environmental low bid, for a maximum of \$20,000 per bid.	0.000%	NA	NA	NA	NA	NA
step 5	Preference amount for each eligible bid (if 0, then no environmental preference was applied).	\$ -	NA	NA	NA	NA	NA
step 6	Bid amount less environmental preference, except if both claim environmental preference; in that case, both claiming EP cancels it for both	\$ 14,463,800.00	NA	NA	NA	NA	NA
step 7	Low Bid Amount: \$ 14,463,800.00	Low Bidder:	Gracon				

↑
Manually Enter Amount

↑
Manually Enter Information

TAB V. Miscellaneous

Apparent Low Bidder/Bid:	Gracon	\$ 14,463,800.00
Project:	O'Shaughnessy Hydro Turbine Facility Improvements	

Other "responsible" requirements 329.23(f)(2)(e)

With respect to a bidder whose bid is determined to be 10% or more below that of the next lowest bidder, [do they have] supplemental details regarding the bid and/or historical information regarding performance and costs on similar contracts to demonstrate the bidder's ability to complete the contract at the price specified.

Bidders	Gracon	0	0	0	0	0
Bid	\$ 14,463,800.00	\$ -	\$ -	\$ -	\$ -	\$ -
Percent Difference btwn Bid and Next Highest Bid	-100.00%					

Is any bidder 10% or more below the next bidder?

NO
YES

If yes, does the lower bidder's TAB 2 evaluation have 'yes' answers for questions c, d, g, and h?

If yes, low bidder is "responsible" under this provision.

Bid Guarantee Requirements

Below are the required documents for each bid guarantee type allowed.

Is the guarantee greater than or equal to 10% of the bid?

NO
YES

Did the bidder submit all of the required documents based upon the guarantee submitted?

Bid Bond

Bond on City's bond form

Surety power of attorney

Most recent surety financial statement

Current Ohio Dept. of Insurance Certificate of Compliance

Letter of Credit

LOC on City's LOC form

Certified/Cashier's Check

Drawn on a solvent bank

Contract Compliance

Are all subcontractors contract compliant? Required before the contract can be executed.

NO

If there are not any subcontractors, choose N/A.

Foreign/Non-Ohio Corp

Is the corporation foreign or the individual or partnership a non-resident of the State of Ohio?

YES
N/A

If yes, then did they file with the Secretary of State a power of attorney designating them or their agent or the Secretary of State, as agent, for the purpose of accepting service of summons, in any action in law or equity, or both, brought in the State of Ohio

This is required before the contract is awarded. "Awarded" means before the Director accepts/approves the bid

<http://www.sos.state.oh.us/>

Award recommendation: After evaluation of the bids, I recommend the following contractor be awarded the contract for:

Project Name:	O'Shaughnessy Hydro Turbine Facility Improvements
Recommended Bidder:	Gracon, LLC
Contract Amount:	\$15,281,800.00 - negotiated

Evaluator's Name:	M. Smith / T. Krenelka
Evaluation Completion Date:	11/13/2020 - final

Additional Information for Departments:

State of Ohio - Ohio Auditor

This is the link to the State of Ohio Auditor's web site to check for "findings for recovery"

<https://ohioauditor.gov/findings.html>

Apparent Low Bidder/Bid:	Gracon	\$ 14,463,800.00
Project:	O'Shaughnessy Hydro Turbine Facility Improvements	

Federal - System for Award Management

This is the link to the Federal System for Awards Management site to check for "findings for recovery"

<https://www.sam.gov/portal/SAM/#1>

City of Columbus

Contact the Purchasing Office if you have a question about the City's list of debarred vendors.

State of Ohio Debarment

This is the link to multiple state agencies that lists debarred companies.

<http://ofcc.ohio.gov/Resources/Debarments.aspx>

OSHA

This is the link to the US Department of Labor's website for OSHA violations

<https://www.osha.gov>

City of Columbus Office of Prequalifications

Pre-Qualification Office email:

prequalification@columbus.gov

Pre-Qualification Office phone no:

645-0359

TAB VII: Notes

Overall bid questions:

PM's responses:

(IC-c): 1. Are there any technical requirements / specifications required? If so, does Gracon meet them? Marked "NA" to continue evaluation.

Gracon original bid did not meet them. During negotiations both the requirements and the bid were changed substantially. Gracon now meets all revised requirements after negotiations.

Gracon:

Hartman Walsh (sub) not CC.
 \$14M bid only has 1 subcontractor?
 What about L&S Electric (or are they just a supplier)?
 May have to add Voith (unless supplier).

Yes, only one subcontractor. Voith and L&S are equipment suppliers and Gracon will be performing all other work. During negotiations Hartman obtained CC number 33140.

(IIA-a & IA-i): Statistically comparable?
 18% higher than Eng's Estimate. PM should evaluate pricing. Marked "NA" to continue evaluation.

After negotiations difference grows to nearly 25%. PM finds pricing reasonable. Original bid excluded some required items. These are now included, and price increased approximately 5.5% to include all original scope items.

(IC-d, e, m, n): Conditions/qualifications/provisions.
 Gracon's cover letter mentions issues with Voith and possibly having to enter into a separate contract with them. Also state that if we are unable to reach a mutual agreement, they have no obligation to make any payments to us under the Bid Bond. This could possibly deem the bid non-responsive. Marked "NA" for now.

Gracon's original bid was non-responsive due in part to many exceptions and clarifications. Negotiations have resolved all these. Gracon's revised bid has no conditions, qualifications, provisions, exceptions, deviations, or clarifications.

(IIA-f & g): Meet deadlines/costs?
 Marked "Yes" as each project had CO's that were "owner-directed" or at control of the government. PM should verify.

Gracon team has satisfied these concerns during negotiations.

TAB VII: Notes

(IIA-h): Availability
Marked "yes" but PM should still verify since they listed one large and 2 smaller projects with 2021 completion dates.

Gracon team has sufficient availability to meet project deadlines.

(Form 5): Foreign/Non-Ohio Corp.
Gracon will have to register with the Secretary of State.

Gracon and it's team members work nationally and internationally and will remain corporations in their respective locations. They have agreed to be subject to Ohio law for this work.

Bid Guarantee
Surety's financial statement and Certificate of Insurance not included on Surepath site but marked "Yes" since we can get from them pretty easily.

*Gracon is now registered with the Secretary of State. - Missy