



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

8/13/2021 | 1:40 PM CDT

Jeff Seal
Garney Companies, Inc
200 Crutchfield Avenue
Nashville, TN 37210

Re: **RFQ # 121210, 8TH Avenue South and Moss Rose Drive Water Main**

Dear Mr. Seal:

The Metropolitan Government of Nashville and Davidson County (Metro) has completed the evaluation of submitted solicitation offer(s) to the above RFQ # 121210 for 8th Avenue South and Moss Rose Drive Water Main. This letter hereby notifies you of Metro's intent to award to Garney Companies, Inc for the 8th Avenue South Project, contingent upon successful contract negotiations. Please provide a certificate of Insurance indicating all applicable coverages within 15 business days of the receipt of this letter.

If the Equal Business Opportunity (EBO) Program requirements were a part of this solicitation, the awardee must forward a signed copy of the "Letter of Intent to Perform as Subcontractor/Subconsultant/Supplier/Joint Venture" for any minority/women-owned business enterprises included in the response to the Business Assistance Office within two business days from this notification.

Additionally, the awardee will be required to submit evidence of participation of and contractor's payment to all Small, Minority, and Women Owned Businesses participation in any resultant contract. This evidence shall be submitted monthly and include copies of subcontracts or purchase orders, the Prime Contractor's Application for Payment, or invoices, and cancelled checks or other supporting payment documents. Should you have any questions concerning this requirement, please contact Evans Cline, BAO Representative, at 615-862-6137 or at Evans.cline@nashville.gov.

Depending on the file sizes, the responses to the procurement solicitation and supporting award documentation can be made available either by email, CD for pickup, or in person for inspection. If you desire to receive or review the documentation or have any questions, please contact Marissa Conklin by email at Marissa.conklin@nashville.gov Monday through Friday between 8:30am and 3:30pm.

Thank you for participating in Metro's competitive procurement process.

Sincerely,

Michelle A. Hernandez Lane
Michelle A. Hernandez Lane
Purchasing Agent

Cc: Solicitation File, Other Offerors

Pursuant to M.C.L. 4.36.010 Authority to resolve protested solicitations and awards.

A. Right to Protest. Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the Purchasing Agent. The protest shall be submitted in writing within ten (10) days after such aggrieved person knows or should have known of the facts giving rise thereto.

[Procurement Division](#)

730 Second Avenue South, Suite 112
P.O. Box 196300
Nashville, Tennessee 37219-6300

www.Nashville.gov
Phone: 615-862-6180
Fax: 615-862-6179

RFQ# 121210 - 8th Avenue South and Moss Rose Drive Water Main - 8th Avenue Project Bid Tab		Min. SBE/SDV Requirement	Lowest Bid	MACP	Winning Bid
		20.0%	\$4,614,100	\$4,850,803	\$4,614,100
Offeror's Name	Bids	SBE	Participation Requirement	Status of ITB Award	
Garney Companies, Inc	\$4,614,100.00	\$1,103,880	\$922,820	Awarded	
SBW Constructors, LLC	\$5,565,725.00	\$5,385,725	\$1,113,145	Evaluated	
Cleary Construction, Inc	\$6,912,920.00	\$1,350,475	\$1,382,584	Min. SBE not met	

BAO Small Business Assessment Sheet

BAO Specialist: Evans Cline

Contract Specialist: Marissa Conklin

Date: 7/20/21

Department Name: Water

RFQ#: 121210

Project Name: 8th Avenue South Water Main

Primary Contractor*	Prime Bid Amount	Total Proposed SBE (\$)	Acknowledged SBE Requirement ?	SBE (%)	Comments
Garney Companies, Inc.	\$ 4,614,100.00	\$ 1,103,880.00	Yes	23.92%	The prime is not an approved SBE and acknowledged the 20% SBE/SDV requirement over the life of the contract. Prime proposed the utilization of the following SBEs: BAC Paving Company, Inc. at \$777,910/16.86% and Mid-state Mobile Concrete, Inc. at \$325,970/7.06%.



Statement of M/WBE Utilization

Proposer's/Firm's Name: Garney Companies, Inc.	Proposer's Phone #: 6156154771816
Solicitation Title: 8th Avenue South Water Main	Proposer's Email Address: jseal@garney.com
Solicitation #: 121210,2	Amount Self-performed : \$3,510,220.00
Proposer's/Firm's Ownership: Non-M/WBE	Total Bid Amount: \$4,614,100.00
Proposed EBO Goal (%) : 8 MBE% 14 WBE%	EBO Goal Met? (Y/N) NO

The following MWBE* subcontractor(s)/supplier(s) will be utilized for the performance of this project:

MBE/WBE Firm Name		MBE/WBE Firm Address	Phone/E-Mail	Certificate Type (MBE or WBE)	* MBE/WBE Group Type *	Code # UNSPS/NAICS	Description of Work	MBE/WBE Dollars (\$)	Percent of Total Contract
1	BAC Paving Co. Inc.	3672 Central Pike, Hermitage, TN 37076	615-701-2925 bacpavinginc@cor	WBE	5	72100000	Paving	777,910.00	16.86%
2				Select	Select				
3				Select	Select				
4				Select	Select				
5				Select	Select				
6				Select	Select				
7				Select	Select				

I am the duly authorized representative and certify the facts and representations contained in this form and supporting documents are true and correct.

Authorized Representative (Printed Name/Title/Signature) Jeffrey P. Seal, Director	Date 06/30/2021
Jeffrey P. Seal	

*Note: MWBE is defined as business enterprise maintaining a significant business presence in the Program Area & performing a commercial useful function that is owned by one or more of the following: (1) African Americans (2) Native Americans, (3) Hispanic Americans, (4) Asian Americans, and (5) Women.

For Internal Office Use ONLY		
Has Prime Complied with EBO Goal? NO	If No, Good Faith Efforts Met?	YES

BAO Representative: Evans Cline

Date: 07/20/21

Total MBE Subcontracting	0 %	\$ 0	
Total WBE Subcontracting	16.86 %	\$ 777,910	
Total MBE/WBE Participation:	16.86 %	\$ 777,910	

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M/WBE SUBCONTRACTORS GOOD FAITH EFFORTS

SUMMARY SHEET

THIS DOCUMENT MUST BE ACCURATELY COMPLETED, SIGNED AND SUBMITTED WITH THE BID OR PROPOSAL
(Due with Bid Submission if Applicable)

Project Name: 8th Ave South Water Main		Project Number: 121210,2	
Company Name: Garney Companies, Inc.		Date Submitted: 06/30/2021	Total Contract Value: \$4614100.00
Address: 200 Crutchfield Ave, Nashville 37210		Federal Tax ID# 44-0658613	
Contact Person: Jeffrey P. Seal	Email:	Phone #: 615-350-7975	

GOOD FAITH EFFORTS SUMMARY SHEET

Number	Bidder Action(s)	BAO Only
1.	<p>Solicitation and written notice to available and certified MWBEs: Soliciting specific individual MWBEs whose availability as potential sources of goods or services can be reasonably ascertained. This measure includes sending letters or making other personal contacts with specific certified MWBEs including those that the Bidder has contracted with in the past as well as other MWBEs with which the Bidder may be unfamiliar, but whose identities can be ascertained from a directory of certified MWBEs maintained by the BAO.</p> <p>The written notices contain:</p> <ol style="list-style-type: none"> I. Enough information about the plans, specs, and terms & conditions of the solicitation; II. A contact person knowledgeable of the project documents available to answer questions about the condition of the contract; III. Information regarding the Bidder's bonding requirements; IV. The deadline for submission of price quotations. 	Pass

For each MBE/WBE firm contacted, list the name(s) and all information requested below related to the above project. If additional space is required, this form may be duplicated.

Company Name/Address/Contact Person/Phone/Email	Type of Business	Type of Work/Service(s) Solicited	How Business was contacted (i.e. email, phone, letter, etc.?)	Response to Solicitation (i.e. will submit bid, no response, not interested)	Bid/Quote Amount	Company Selected (Write Yes or NO)
Pavement Restorations Inc. / 10162 Stinson St. Milan, TN 38358 / Scott / 615-969-9040/ Scott@gotpotholes.net	WBE	Paving	Email	Will bid	\$378,325	NO
JR Construction TN, Inc. / 4957 Drakes Branch Rd / Nashville 37218 / Patricia Robertson / 615-876-2247 / jrconcrete@aol.com	MBE	Concrete	Email	Will Bid	\$467,750	NO

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2.	Meetings: Attended or held informational meetings to update potential subcontractors or vendors of subcontracting or supply opportunities.	Fail

List all information requested below related to the above project. If additional space is required, this form may be duplicated.

Company Name/Address/Contact Person/Phone Number/Email	Description of Meeting Notices for M/W/SDVEs	Date M/W/SDVE Attended, if applicable
	No meetings were held specifically for this project, none were requested but Garney is always open to meet with a subcontractor	
8th Ave South Water Main	121210,2	

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3.	Unbundling. Divided the contract, in accordance with normal industry practice, into small, economically feasible segments that could be performed by MWBEs. Under no circumstances, however, shall a bidder segment work solely for the purpose of utilizing MWBEs as subcontractors where such segmentation is not in accordance with common and accepted industry practices relating to the utilization of other firms as subcontractors.	Pass	

What Scope of Project Was Divided?

1. Hourly Dump Trucking	2. Erosion Control
3. Asphalt Paving	4. Traffic Control
5. Furnish and Place Flowable Fill	6. Concrete Flatwork

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4.	Rejection: Provided a written explanation for rejection of any potential subcontractor or vendor to the Bidder, including the name of the firm awarded the subcontract or supply agreement.	Pass

For each MBE/WBE firm contacted, list the name(s) and all information requested below related to the above project. If additional space is required, this form may be duplicated.

M/WBE Firm Name/Address/Contact Person/Phone Number/Email	Description of Proposed Work	Reason for Rejection
JR Construction TN, Inc. / 4957 Drakes Branch Rd / Nashville 37218 / Patricia Robertson / 615-876-2247 / jrconcrete@aol.com	Concrete flatwork	Price Not competitive. Another <input type="checkbox"/>
Pavement Restorations Inc. / 10162 Stinson St. Milan, TN 38358 / Scott / 615-969-9040/ Scott@gotpotholes.net	Asphalt Paving	Price Not competitive, Another V <input type="checkbox"/>

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5.	Non-discrimination: Providing a non-discriminatory work site. Maintaining a work environment free of harassment, intimidation and coercion at all construction sites, offices and other facilities at which the Bidder's employees are assigned to work. The Bidder shall specifically ensure that all labor supervisors, superintendents, and other on-site supervisory personnel are aware of and carry out the Bidder's obligation to maintain a non-discriminatory work environment.	Pass

For each training, list the type of training and date.

Type of Training	Date of Training
Garney routinely provides training to all personnel <input checked="" type="checkbox"/>	

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6.	Community and Other Organizational Services Support: Advertising in trade publications of general circulation in the Program Area. The advertisement shall identify and describe the specific subcontracting or other opportunity in reasonable detail.	Fail

For each MBE/WBE firm contacted, list the name(s) and all information requested below related to the above project. If additional space is required, this form may be duplicated.

Publication Name	Date of Publication	Please provide copy.
No advertisement was made specifica +		

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7.	Assistance: Bonding/Lines of Credit/Insurance: Providing reasonable assistance to a MWBE in need of equipment, supplies, bonding, letters of credit and/or insurance.	N/A

For each MBE/WBE firm contacted, list the name(s) and all information requested below related to the above project. If additional space is required, this form may be duplicated.

Company Name/Address/Contact Person/Phone Number/Email	Type of Assistance
Garney does not require subcontractors to bond and offers fast payment on invoices. No subcontractors requested bonding/lines of credit/Insurance or similar assistance. Garney does not wait to pay subcontractors until it is paid by Metro. Subcontractors can bill weekly as soon as work is complete, Garney does not make subcontractor wait until the end of the month.	

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8.	Database Utilization Accessed all reasonable and available means to include, but not limited to the following examples: https://www.nashville.gov/Finance/Procurement/Business-Assistance-Office/SMWBE-Lists-and-Forms.aspx or https://nashville.diversitycompliance.com/	Pass

For each MBE/WBE firm contacted, list the name(s) and all information requested below related to the above project. If additional space is required, this form may be duplicated.

Database Accessed	Date of Access	Results
Garney posts bid documents on our website in an easily-accessed electronic plan room. Subs and Vendors are provided access to this portal and provided links via our solicitation emails. If requested Garney will provide paper plans for subcontractors and vendors. No subcontractor or vendor requested paper copies for this project. All subcontractors accessed the plans via our bid-site. The bid site includes all documents provided by metro.	07/20/21	

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9.	Mentor Protégé' Relationship/Technical Assistance: Providing reasonable technical assistance to a MWBEs to ameliorate any deficiencies of technical knowledge or advance skill, where such assistance is undertaken by the Bidder to facilitate the MWBE's successful participation on a project or contract.	N/A

For each MBE/WBE firm assisted, list the name(s) and all information requested below related to the above project. If additional space is required, this form may be duplicated.

Company Name	Type of Assistance	If Mentor Protégé' Agreement Reached, Please Provide Copy.
No mentoring relationships were pursued or requested for this project.		

It is hereby certified that the above firms were contacted and offered an opportunity to respond on the above project. We further certify that the above statements are a true account of all firms' responses to our solicitation. Copies of all bids and/or quotes will be made available upon request.

Signature: Jeffrey P. Seal Print Name: Jeffrey P. Seal Title: Director