



Notice of Intent to Award

Solicitation Number	228236	Award Date	3/24/2022 6:40 PM CDT
Solicitation Title	Hurricane Creek Pipe Improvements		
Buyer Name	Scott Ferguson	Buyer Email	scott.ferguson@nashville.gov
BAO Rep	Sierra Washington	BAO Email	sierra.washington@nashville.gov

Awarded Supplier(s)

In reference to the above solicitation and contingent upon successful contract negotiation, it is the intent of the Metropolitan Government of Nashville and Davidson County to award to the following supplier(s):

Company Name	Garney Companies, Inc.	Company Contact	Jeff Seal
Street Address	200 Crutchfield Avenue		
City	Nashville	State	TN
		Zipcode	37210

Company Name		Company Contact	
Street Address			
City		State	
		Zipcode	

Company Name		Company Contact	
Street Address			
City		State	
		Zipcode	

Certificate of Insurance

The awarded supplier(s) must submit a certificate of insurance (COI) indicating all applicable coverage required by the referenced solicitation. The COI should be emailed to the referenced buyer no more than 15 days after the referenced award date.

Equal Business Opportunity Program

Where applicable, the awarded supplier(s) must submit a signed copy of the letter of intent to perform for any and all minority-owned (MBE) or woman-owned (WBE) subcontractors included in the solicitation response. The letter(s) should be emailed to the referenced business assistance office (BAO) rep no more than two business days after the referenced award date.

Yes, the EBO Program is applicable. No, the EBO Program is not applicable.

Monthly Reporting

Where applicable, the awarded supplier(s) will be required monthly to submit evidence of participation and payment to all small (SBE), minority-owned (MBE), women-owned (WBE), LGBT-owned (LGBTBE), and service disabled veteran owned (SDV) subcontractors. Sufficient evidence may include, but is not necessarily limited to copies of subcontracts, purchase orders, applications for payment, invoices, and cancelled checks.

Questions related to contract compliance may be directed to the referenced BAO rep.

Yes, monthly reporting is applicable. No, monthly reporting is not applicable.

Public Information and Records Retention

Solicitation and award documentation are available upon request. Please email the referenced buyer to arrange.

A copy of this notice will be placed in the solicitation file and sent to all offerors.

Right to Protest

Per MCL 4.36.010 – 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.

____ Supervisor (Initial)

Michelle A. Hernandez Lane
 Michelle A. Hernandez Lane
 Purchasing Agent & Chief Procurement Officer

Enter Solicitation Title & Number Below						
Hurricane Creek Pipe Improvements; RFQ# 228236	Min. SBE/SDV Participation	Incentive Percentage	Incentive Calculator	Lowest Bid	MACP	Winning Bid
	24.0%	2.75%	97.25%	\$19,115,600.00	\$19,641,279.00	\$19,115,600.00
Offeror's Name	Bids	SBE	Participation Requirement	Participation Incentive	Incentive Evaluation Amount	Status of ITB Award
Cleary Construction, Inc.	\$19,586,590.00	\$4,591,751.00	\$3,550,702	\$0	\$19,586,590.00	Evaluated
Garney Companies, Inc.	\$19,115,600.00	\$4,593,425.00	\$3,255,744	\$0	\$19,115,600.00	Awarded

* Norris Bros Excavating, LLC was non responsive to EBO requirement

Ferguson, Scott (Finance)

From: Washington, Sierra (Finance)
Sent: Thursday, March 17, 2022 11:17 AM
To: Ferguson, Scott (Finance)
Cc: Frye, Jeremy (Finance); Wood, Christopher (Finance - Procurement)
Subject: ITB# 228236 - Hurricane Creek Pipe Improvements
Attachments: 228236 Hurricane Creek Pipe Improvements GFE.pdf; 228236 Hurricane Creek Pipe Improvements.pdf; 228236 Hurricane Creek Pipe Improvements SBE.pdf

Hi Scott,

Accept this as my final assessment for the referenced RFQ#. The awardee did not meet the established EBO subcontracting goals, however, is compliant with the EBO program providing satisfactory GFE summary sheets and supporting documentation. This contract will require B2GNow monitoring. Please see attachments.

Thank you,

Sierra M. Washington
Contract Compliance Officer
Metropolitan Nashville Davidson County Government
Department of Finance
[Office of Minority and Women Business Assistance \(BAO\)](#)
[730 2nd Avenue South, 1st Floor; PO Box 196300](#)
[Nashville, TN 37219-6300](#)
(p) [615.880.2783](#) (f) [615.862.6179](#)



Statement of M/WBE Utilization

Proposer's/Firm's Name: Garney Companies, Inc	Proposer's Phone #: (615) 350-7975
Solicitation Title: Hurricane Creek Pipe Improvements	Proposer's Email Address: JSeal@garney.com
Solicitation #: 228236	Amount Self-performed : 76%
Proposer's/Firm's Ownership: Non-M/WBE	Total Bid Amount: \$19,115,600
Proposed EBO Goal (%) : <u>7</u> MBE% <u>13</u> 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.	4712 Cascade Dr, Hermitage TN, 37138	615-885-3555, bacpavingco@com	WBE	5	7210000	Paving	102,000	0.53
2	Nashville Fabrication and Engineering	106 Duluth Ave, Nashville TN, 37209	615-300-4518, jennifer@nashville	WBE	5	7210000	Pipe, Precast, and fabricated Materials	\$2,465,000	12.9
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	Date 03/11/2022
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*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: Sierra Washington **Metro Buyer:** Scott Ferguson **Project Manager:** Ron Taylor/ Paul Stonecipher **Date:** 02/01/22

Total MBE Subcontracting	0 %	\$ 0	
Total WBE Subcontracting	13.43 %	\$ 2,567,000	
Total MBE/WBE Participation:	13.43 %	\$ 2,567,000	

BAO Notes:

METROPOLITAN GOVERNMENT OF NASHVILLE - DAVIDSON COUNTY

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: Hurricane Creek Pipe Improvements	Project Number: 228236	
Company Name: Garney Companies, Inc	Date Submitted: 03/11/2022	Total Contract Value:
Address: 200 Crutchfield Ave	Federal Tax ID# 44-0658613	
Contact Person: Jeffrey P. Seal, Director	Email: JSeal@garney.com	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)
J.R Construction, 4951 Drakes Branch Rd, Nashville, TN 37218, Patricia Robertson, 615-876-2247, jrconstruction@aol.com	MBE	Concrete Work	Email	No Response	NA	NO
See attached emails for further communications	WBE					NO


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GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST		
Number	Bidder Action(s)	BAO Only
2.	Meetings: Attended or held informational meetings to update potential subcontractors or vendors of subcontracting or supply opportunities.	Pass

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
BAC Paving co Inc., Claire Barnett, 4712 Cascade Dr, Hermitage TN, 615-885-3555, bacpavingco@concast.net	Information was provided and posted via Garney Estimating Site on 2/1/22. Emails to follow up/ No inperson meetings	
J.R Construction, 4951 Drakes Branch Rd, Nashville, TN 37218, Patricia Robertson, 615-876-2247, jrconstruction@aol.com	Information was provided and posted via Garney Estimating Site on 2/1/22. Emails to follow up/ No inperson meetings	
See attached emails for further contact 	Information was provided and posted via Garney Estimating Site on 2/1/22. Emails to follow up/ No inperson meetings	

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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. Paving	2. Material Supply
3. Concrete Work	4.
5.	6.

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GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST

Number	Bidder Action(s)	BAO Only
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
Raven Security	Traffic Control	Time conflict

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Number	Bidder Action(s)	BAO Only
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.	N/A

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

Type of Training	Date of Training
N/A	

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GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST			
Number	Bidder Action(s)	BAO Only	
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.	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.

Publication Name	Date of Publication	Please provide copy.
Posted and advertised through One Team construction solicitation service	02/01/22	https://garney.oneteam.build/bidboard/?projno=14366522&pin=366522&ck=85b
Posted on the Garney Website	02/01/22	https://www.garney.com/upcoming-bids/
Used Metro W/MBE Directory to send email solicitation	02/01/22	See attached string of emails

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Number	Bidder Action(s)	BAO Only
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
N/A - None Requested	N/A - None Requested

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Contact Person: JETREY P. SEAL, DIR		Email:	Phone #: 615-350-7975

GOOD FAITH EFFORTS SUMMARY SHEET CHECKLIST

Number	Bidder Action(s)	BAO Only
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
Metro Nashville BAO office vendor directory	02/01/22	Vendor contacts to send solicitation

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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.
N/A - None Requested	N/A - None Requested	N/A - None Requested

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:  Print Name: Jeffrey P. Seal Title: Director

BAO Small Business Assessment Sheet

BAO Specialist: Sierra Washington

Contract Specialist: Scott Ferguson

Date: 03/16/2022

Department Name: Water Services

RFP/ITB Number: 228236

Project Name: Hurricane Creek Pipe Improvements

Primary Contractor*	Prime Bid Amount	Total Proposed SBE (\$)	SBE Subs approved?	SBE (%)	Comments
Garney Companies, Inc.	\$19,115,600.00	\$4,593,425.00	YES	24%	The prime is not an approved SBE and proposed the utilization of BAC Paving, Inc. 0.53%/ \$102,000, C.K. Masonry 0.26%/ \$50,000, Design Blasting Services LLC 3.40% /\$650,172, Nashville Fabrication & Engineering 12.90%/ \$2465000, Mid State Mobile Concrete, Inc. 3.34%/ \$637,753, and Down Ta Earth, Inc. 3.60%/ \$688,500.