



DATE: November 15, 2022

TO: Jay Guffey, Water Resources Engineering Supervisor

FROM: Shadi Zeidan, Senior M/WBE Specialist

SUBJECT: M/WBE Memo for Contract 2020-014 Water Main Rehabilitation and Replacement 2020, Change Order #1

The M/WBE Office reviewed the change order request for contract 2020-014 Water Main Rehabilitation and Replacement 2020 to determine compliance with the City's M/WBE Program Plan. The contractor is required to maintain the M/WBE participation throughout the duration of the contract unless approved in advance by the City. The Water Resources Department's request is for additional funding to cover contract overrun.

On October 20, 2020, Council approved to award Mainlining America, LLC a contract for \$6,488,466.80. The firm committed to utilizing MBE 3.82% and WBE 6.16%. Change Order #1 for \$186,453.20 will increase the total contract amount to \$6,674,920.00 and increase the overall M/WBE utilization to MBE 4.71% (\$314,500.00) and WBE 17.53% (\$1,170,000.00). Although the M/WBE utilization increased, Mainlining America LLC failed to notify the M/WBE Office in advance of the replacement of an MBE firm on a portion of the work; therefore, did not comply with the guidelines outlined on page 19, section I. – Post Award Contract Change Orders and Terminations in M/WBE Program Plan.

The firm met the M/WBE utilization with the following firms.

ID	Firm Name	County	Description of Work	Original Contract Amount	Change Amount	Current Contract Amount	Total Contract %
MBE	Right of Way	Guilford	Excavation	\$230,000.00	\$80,000.00	\$310,000.00	4.64%
MBE	Cinda Corporation	Forsyth	Concrete	\$18,200.00	(\$13,700.00)	\$4,500.00	0.07%
WBE	D & C Trucking	Guilford	Hauling	\$150,000.00	\$70,000.00	\$220,000.00	3.30%
WBE	P&S Grading LLC	Guilford	Paving	\$250,000.00	\$700,000.00	\$950,000.00	14.23%

Please be reminded that during the performance of the contract, if there are any changes including subcontractor replacement; the Department and Prime Contractor must contact the M/WBE Office for approval, before making any such changes or substitutions.

Cc: Allison Staton, M/WBE Compliance Officer
Timothy Jackson III, M/WBE Coordinator
Jason Geary, Engineering & Inspections Department