

## Agenda Item Summary

**To:** Policy Board

**From:** Kim Bona, Program Manager

**CC:** Matthew Hart, Executive Director

**Meeting Date:** November 15, 2023

**Subject:** Resolution Authorizing Three ezIQC Regional Contractor Awards – General Construction

### **Background:**

CRCOG advertised and bid four ezIQC contracts for on-call general construction work. There was one contract bid for each of four regions: Northwest, Southwest, Northeast and Southeast. There were 2 bidders for each contract.

Upon careful evaluation of the bid submissions and Millennium's performance over the last three years, Gordian recommends a strategic shift in CRCOG's 4-contractor preference to safeguard the best interests of CRCOG members.

Both Millennium and BMP have maintained a series of contracts within the ezIQC program at CRCOG. Despite their historical engagements, recent apprehensions about Millennium's operational efficiency prompt us to exercise prudence in granting them more than one region. Hence, Gordian recommends the allocation of two contracts (for the SW and SE Regions) to BMP for the full three-year contract and one contract (for the NW Region) to Millennium, for a defined one-year term.

Gordian feels that based on BMP's proven track record, that BMP is well-equipped to effectively manage the two southern regions for the entire duration of this three-year contract. Moreover, we maintain the flexibility to expedite the bidding cycle and engage new contractors earlier if any party displays indications of potential performance deterioration within the initial year.

CRCOG will conduct an expedited rebidding process for the NE Region to potentially engage a third contractor and secure an award by January. This process may involve contractors who have previously participated in the mandatory pre-bid, fostering a competitive yet fair environment. Notably, Millennium is eligible to bid for the NE region; however, their prior performance dictates that a secondary contract would not be guaranteed. Likewise, BMP will not be the primary selection if other responsive and responsible bids, with reasonable variation from BMP's award criteria, are presented by additional bidders.

### **Benefit to Member Towns/CRCOG:**

**Millennium Builders**, a familiar participant in the ezIQC program, brings an extensive network of relationships to the program. However, their past struggles in maintaining a satisfactory level of responsiveness, especially in the northeast region, during the preceding contract necessitate the limitation of their workload to the northwest region. This approach offers them an opportunity to concentrate their efforts and achieve success within this confined scope. Municipalities within the awarded region who have experienced issues in the past year with this contractor will not be required to utilize them going forward.

**BMP Construction**, an established ezIQC contractor, has demonstrated steady growth over the years, undertaking various small to medium-sized public general contracting and site work within the ezIQC program, alongside public bid projects. Leveraging their significant experience in the public sector, spanning seven years of successful engagement with the ezIQC program, and their proactive efforts to enhance their general contracting capabilities, BMP is anticipated to not only meet but surpass expectations.

**Given the limited response to the bidding process**, the decision to award contracts for four separate regions has posed challenges. It is essential to ensure that the awarded contracts maintain quality standards and adhere to competitive adjustment factors. Therefore, the proposition to allocate two regions to BMP, considering their existing adjustment factors, emerges as a prudent decision, given the unavailability of adequate competitive bids. This strategic choice aligns with the objective of best representing the communities served by CRCOG, effectively leveraging BMP's proven track record to uphold quality standards and operational excellence.

**Financial/Operational Impact:**

Pricing is based on a Construction Task Catalog (CTC) and is competitively bid upfront.

**Project Schedule:**

If approved, the ezIQC program will continue with these awarded contractors effective January 1, 2024.

**Recommendation:** Move to Approve the Resolution Authorizing Contract Awards for General Construction of the Northwest Region to Millennium Builders, and of the Southeast and Southwest Regions to BMP Construction with the understanding that CRCOG will immediately rebid for the Northeast Region and secure an awarded contractor for this region by January. This will be brought back to the Policy Board for consideration at its December meeting.

**Attachments:**

- Resolution Authorizing Three ezIQC Road and Bridge Contractor Awards – General Construction

**RESOLUTION AUTHORIZING THREE EZIQC REGIONAL CONTRACTOR  
AWARDS – General Construction**

**WHEREAS**, CRCOG has been providing an Indefinite Quantity Construction Services Program (ezIQC) for its members since 2009 in partnership with The Gordian Group; and

**WHEREAS**, CRCOG’s current contract with The Gordian Group runs through December 31, 2024; and

**WHEREAS**, the four (4) current regional service contracts for General Construction are slated to expire on December 31, 2023; and

**WHEREAS**, The Gordian Group and CRCOG staff performed a competitive bidding process; and

**WHEREAS**, The Gordian Group is recommending that it be in the best interest of CRCOG’s members to award the following three regions as follows: Northwest Region 2: Millenium Builders, Southwest Region 3 and Southeast Region 4 to BMP Construction,

**WHEREAS**, The Gordian Group and CRCOG will go back out to bid for Indefinite Quantity General Construction Services for the Northeast Region 1,

**NOW THEREFORE BE IT RESOLVED**, that CRCOG’s Executive Director is authorized to negotiate, execute and amend, as necessary, contractual instruments for the purpose of providing on-call construction services under the agency’s ezIQC program with the two preferred contractors (Millenium Builders and BMP Construction) for the Northwest, Southeast and Southwest Regions.

I certify that the above is a true copy of the resolution adopted by the Policy Board at its meeting held on November 15, 2023.

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Jason Bowsza, Secretary

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Date