

Notice of Intent to Award

To: Paul Patterson / Bobby Allen (City of Memphis)
From: Bently Green / Mike High (Black & Veatch / Overland Construction Inc.)
Date: December 2, 2014
Project: Stiles Vortex and Outfall Pipe
Project No.: 185332.75.2000
City Contract: 30361

In conjunction with the City's Consent Decree Sewer Assessment and Rehabilitation Program, proposals were received for the above-referenced project at City Hall through November 12th, 2014. Four prequalified construction firms submitted proposals for this project:

1. Malouf Construction \$6,070,600 (lowest proposal)
2. Robinson Construction \$8,131,400
3. Chris-Hill Construction \$9,418,500 (before 5% local contractor consideration)
4. Continental Construction \$9,431,207 (before 5% local contractor consideration)

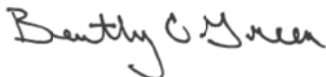
While all of the proposals included DBE participation, none of the proposals fully met DBE goals (2.6% MBE and 2.6% WBE TNUCP Vendors, 30% MWBE EBO Vendors). It was stated by some this was due to the specialized nature of the work. However, Malouf has committed to continue to look for ways to improve their overall DBE participation as part of the negotiation process.

Subsequent due diligence has been conducted on Malouf Construction's proposal documents, and their proposal has been found to be responsive, in order, and compliant with the projects terms and conditions.

It is therefore our intent to award the contract for the Stiles Vortex and Outfall Pipe project to Malouf Construction. If you concur with the Program Team's recommendation, please confirm the City's approval.

The Program Team will continue dialogue with Malouf Construction in the meantime, and upon the expiration of the bid challenge period (10 calendar days from the issuance of the Notice of Intent to Award), we will move into formal negotiations to get the contract completed and a Notice to Proceed issued.

Thank you,



Bently C. Green, P.E.
Program Manager