



ERIE COUNTY WATER AUTHORITY
INTEROFFICE MEMORANDUM

July 24, 2023

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, PE, Senior Distribution Engineer

A handwritten signature in black ink, appearing to be "MJQ", is written over the name of the sender.

Subject: Contract MP-090-G
Sturgeon Point WTP Filtration Piping, Valve, and Underdrain System Improvements
(General)
ECWA Project No. 202200014

On Thursday, June 22, 2023, the Authority received two (2) bids for the above referenced contract. The bids have been reviewed, a mathematical check has been performed, and the apparent low bidder, American Contracting & Environmental Services, Inc. (ACE), was found acceptable.

ACE is an established contractor on an on-going contract for the Authority, performing work of similar nature in a satisfactory manner. Their references have been checked by our consultant, Arcadis. They have demonstrated a good understanding of the scope and requirements for this contract.

The total Engineer's estimate for the contract was \$31,499,036.90. The bid submitted by ACE is \$28,470,000.00, approximately 6.9% below the estimated amount.

ACE has provided adequate MWBE documentation, approved by Director of Administration, insurance, approved by Claims Representative/Risk Manager, and proof of apprenticeship program, approved by the Coordinator of Employee Relations.

We, therefore, recommend award of the above referenced contract to American Contracting & Environmental Services, Inc. in the amount of \$28,470,000.00.00.

Budget Information (2023 Construction):

Unit: 2510 Engineering/Construction Sturgeon Point

Item 101506 Filter Gallery Piping Design

This is a multi-year contract for which additional funds will be budgeted in subsequent years based on project cash flow projections.

Attached please find the following documents:

1. ECWA Authorization Form.
2. ECWA Recommendation for Award of Contract form.
3. Letter of recommendation from Arcadis, dated July 7, 2023 and Bid Tabulation.

MJQ:jmf

Attachments

cc: L.Kowalski

L.Lester

CONT-MP-090-G-2201-X-12

ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Documents
(check which apply)

Contract: <u>MP-090-G</u>	Project No.: <u>202200014</u>
Project Description: <u>Sturgeon Point WTP Filtration Piping, Valve, and Underdrain System Improvements (General)</u>	

Item Description:


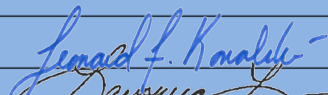




<input type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> Addendum
<input checked="" type="checkbox"/> Recommendation for Award of Contract	<input type="checkbox"/> Recommendation to Reject Bids		
<input type="checkbox"/> Request for Proposals			
<input type="checkbox"/> Other _____			

Action Requested:


<input type="checkbox"/> Board Authorization to Execute	<input checked="" type="checkbox"/> Legal Approval
<input checked="" type="checkbox"/> Board Authorization to Award	<input type="checkbox"/> Execution by the Chairman
<input type="checkbox"/> Board Authorization to Advertise for Bids	<input type="checkbox"/> Execution by the Secretary to the Authority
<input type="checkbox"/> Board Authorization to Solicit Request for Proposals	
<input type="checkbox"/> Other _____	

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr. Distribution Engineer		Date: <u>7/24/2023</u>
<input type="checkbox"/> Chief Operating Officer	_____	Date: _____
<input checked="" type="checkbox"/> Executive Engineer		Date: <u>08/07/2023</u>
<input checked="" type="checkbox"/> Director of Administration		Date: <u>07/24/2023</u>
<input checked="" type="checkbox"/> Risk Manager		Date: <u>07/24/2023</u>
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>07/24/2023</u>
<input checked="" type="checkbox"/> Legal		Date: <u>7/24/2023</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>8/7/2023</u>
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Remarks: _____

Resolution Date: _____	Item No: _____
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July 7, 2023

Leonard Kowalski, PE
Executive Engineer
Erie County Water Authority
3030 Union Road
Cheektowaga, NY 14227-1097

Arcadis of New York, Inc.
50 Fountain Plaza
Suite 600
Buffalo
New York 14202
Tel 716 667 0900
Fax 716 842 2612
www.arcadis.com

Subject: Contract No. MP-090-G
ECWA Project No.: 202200014
Sturgeon Point Water Treatment Plant Filtration Piping, Valve, and Underdrain System Improvements
Recommendation Regarding Award of Construction Contract

Dear Mr. Kowalski,

Bids for the above-referenced Project were received by the Erie County Water Authority (Authority) and opened on June 22, 2023 at 10:00 a.m. at the ECWA Service Center. This letter presents our recommendations relative to award of the Project's General Construction Contract. Overall, it appears that the Bids received is similar to the amount of the Engineer's opinion of probable construction cost and thus are consistent with the Authority's budgeting expectations.

Bids were received from the following contractors:

- American Contracting and Environmental Services
- STC Construction

Enclosed is a tabulation of the Bids received . The Bids are valid for a period of 45 days from date of the Bid opening (i.e., through August 6, 2023).

Publicity of Project

In addition to the Authority's Invitation to Bid, Arcadis of New York, Inc. (Arcadis) made significant efforts to engage prospective Bidders regarding this Project. Arcadis furnished copies of the Bidding Documents and other information to Avalon Document Services (the Issuing Office).

Arcadis e-mailed numerous general contractors that have submitted bids for similar work on previous public works projects in western New York.

General Contract

Bid Items: This Contract includes a base bid only, without alternative bid items.

Bid Evaluation and Responsiveness: The apparent low Bid was submitted by American Contracting and Environmental Services (ACE) of Columbia, Maryland. We have evaluated ACE's Bid and determined it to be mathematically correct. ACE's Bid appears to comply with the requirements of the Bidding Documents.

Leonard Kowalski, PE
Erie County Water Authority
July 7, 2023

Bidder Responsibility: The Authority has had limited experience with ACE, who has one other project ongoing for the Authority. Arcadis has verified ACE's listed experience and has determined that they have the qualifications and project understanding to complete the work included in Contract MP-090-G.

Comparison with Budget

The Engineer's opinion of probable cost was \$31,499,036.90 (after Addendum No.1 and Addendum No.2) for the General Contract. The price bid by the apparent low responsive and responsible Bidder for the General Construction Contract is \$28,470,000.00.

The total price bid by the apparent low Bidder for the General Construction Contract is less than the corresponding Engineer's opinion of probable bid pricing. Because sufficient funds appear to be available, we recommend that the Authority award the construction contract and proceed with implementing the Project's construction phase.

Recommendations

We recommend the following:


1. Because ACE submitted the lowest-priced, responsive, and responsible Bid for the General Contract, subject to review and approval by the Authority, we recommend awarding the General Contract to American Contracting and Environmental Services, 10330 Old Columbia Road, Columbia, Maryland 21046, as the Successful Bidder, in the total amount of \$28,470,000.00.
2. The Contract award should be contingent upon the Successful Bidder furnishing acceptably-executed Contract Documents and acceptable insurance, performance bond, and maintenance bond.
3. Upon the Authority's receipt of acceptable insurance, performance bond, maintenance bond, and signed originals of the Contract Documents from the Successful Bidder, the Authority should execute the Contract Documents and Notice to Proceed. After subsequently executing the Contract Documents and Notice to Proceed, the Authority should distribute the executed original Contract Documents and Notice to Proceed to each of the following: Authority, Contractor, and Engineer.

Leonard Kowalski, PE
Erie County Water Authority
July 7, 2023

Should you have questions or comments, please contact me at 716 667 6670.

Sincerely,

Arcadis of New York, Inc.

A handwritten signature in black ink that reads "Daniel Seider". The signature is written in a cursive, flowing style.

Dan Seider, PE
Project Manager
Email: daniel.seider@arcadis.com

Electronic Copies
Michael Quinn, ECWA
Michael Wymer, ECWA
Tim Shafer, Arcadis of New York

TABULATION OF BIDS



OWNER: Erie County Water Authority
Buffalo, New York

Date Advertised:
Date Opened:

May 9, 2023
June 22, 2023

Prepared By: TCS
Checked By: DJS

PROJECT: Sturgeon Point Water Treatment Plant Filtration Piping, Valve, and Underdrain System Improvements

Date Tabulated:
Arcadis Project No.:
ECWA Project No.:

June 23, 2023
30076280
202100111

Arcadis of New York, Inc.
50 Fountain Plaza, Suite 360
Buffalo, New York 14202

General Contract - MP-090-G

Bidders' Name & Contact Info.

Bidders' Name & Contact Info.

		Engineers Opinion Of Probable Construction Cost	STC Construction 63 Zoar Valley Rd., Springville, NY 14141 Phone: (716) 592-3400	American Contracting and Environmental Services 10330 Old Columbia Rd., Columbia, MD 21046 Phone: (716) 796-4067
ITEM NUMBER	ITEM DESCRIPTION	AMOUNT BID	AMOUNT BID	AMOUNT BID
1	General Construction-Lump Sum	\$25,850,175.00	\$26,921,138.10	\$22,821,138.10
2	Assigned Procurement Contract MP-090-P01-Filter Underdrains-Cash Allowance	\$2,901,818.70	\$2,901,818.70	\$2,901,818.70
3	Assigned Procurement Contract MP-090-P03-Valves and Actuators-Cash Allowance	\$1,312,550.00	\$1,312,550.00	\$1,312,550.00
4	Assigned Procurement Contract MP-090-P04-Blowers-Cash Allowance	\$156,000.00	\$156,000.00	\$156,000.00
5	Assigned Procurement Contract MP-090-P06-PLC Equipment-Cash Allowance	\$381,000.00	\$381,000.00	\$381,000.00
6	Assigned Procurement Contract MP-090-P07-Rate of Flow Controllers-Cash Allowance	\$207,493.20	\$207,493.20	\$207,493.20
7	Site Access Security Services-Cash Allowance	\$150,000.00	\$150,000.00	\$150,000.00
8	Miscellaneous Repair Work-Contingency Allowance	\$250,000.00	\$250,000.00	\$250,000.00
9	Miscellaneous Demolition Work-Contingency Allowance	\$100,000.00	\$100,000.00	\$100,000.00
10	Owner Assigned Programmer Work-Contingency Allowance	\$120,000.00	\$120,000.00	\$120,000.00
11	Unanticipated Hazardous Material Abatement-Contingency Allowance	\$20,000.00	\$20,000.00	\$20,000.00
12	Door Access Security-Contingency Allowance	\$50,000.00	\$50,000.00	\$50,000.00
	Total	\$31,499,036.90	\$32,570,000.00	\$28,470,000.00
	BID BOND AMOUNT		5% of Bid Amount - \$1,628,500.00	5% of Bid Amount - \$1,423,500.00
	SURETY COMPANY		Fidelity and Deposit Company of Maryland	Fidelity and Deposit Company of Maryland

**ERIE COUNTY WATER AUTHORITY
RECOMMENDATION FOR AWARD OF CONTRACT**

Contract: MP-090-G Project No.: 202200014
 Project Description: Sturgeon Point WTP Filtration Piping, Valve, and Underdrain System Improvements
(General).

CONTRACT AWARD

Contractor/Supplier: American Contracting & Environmental Services, Inc.
 Award Amount: \$28,470,000.00

BID SUMMARY:

Date Advertised for Bids: <u>05/09/2023</u>		Date of Bid Opening <u>06/22/2023</u>
Bidder		Total Bid Amount
<u>American Contracting & Environmental Services, Inc.</u>		<u>\$28,470,000.00</u>
<u>STC Construction, Inc.</u>		<u>\$32,570,000.00</u>
<u> </u>		<u>\$0.00</u>
<u> </u>		<u>\$0.00</u>
<u> </u>		<u>\$0.00</u>
<u> </u>		<u>\$0.00</u>
<u> </u>		<u>\$0.00</u>
<u> </u>		<u>\$0.00</u>
<u> </u>		<u>\$0.00</u>
<u> </u>		<u>\$0.00</u>

Attachments: Bid Tabulation Consultant's Recommendation

APPROVALS (Select applicable)

WMBE APPROVAL

- No Waiver
- Full Waiver
- Partial Waiver

EEO Compliance Officer *Deborah L. Jester* Date 07/24/2023

INSURANCE APPROVAL

Claims Rep/Risk Manager *Molly Jo Musarra* Date 7/19/2023

NYS CERTIFIED APPRENTICESHIP PROGRAM APPROVAL

Coordinator of Employee Relations *V. J. Jester* Date 07/19/2023

Remarks: Lump sum