



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 7, 2014

Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

**RE: Erie County Sewer District No. 5
Contract No. 19 – Clarence Research Park STP Improvements
Award of Contract**

Honorable Members:

The Department of Environment and Planning, Division of Sewerage Management is proposing to perform various repairs and upgrades to the Clarence Research Park Sewage Treatment Plant (STP), located in Erie County Sewer District No. 5. This work is necessary to enable the continued reliable operation of the Sewage Treatment Plant.

Plans and specifications, known as Clarence Research Park STP Improvements, Contract 19, were prepared and construction bids were received on June 10, 2014. The lowest responsible bidder is NFP and Sons, Inc. NFP and Sons, Inc. has been recognized as successfully performing similar sized construction contracts in Erie County. Therefore, this resolution seeks approval to award Contract 19 to NFP and Sons, Inc.

Should your Honorable Body require further information, I encourage you to contact Joseph Fiegl in the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/BK/vb
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District No. 5
Contract No. 19 - Clarence Research Park STP Improvements
Award of Contract
Date: July 7, 2014

SUMMARY

Award of the Clarence Research Park Sewage Treatment Plant (STP) Improvements Project, Contract 19, to NFP and Sons, Inc. for the bid amount of \$453,300.00 is requested.

The necessary bid tabulations, Engineer's estimate, Engineer's recommendation, and suggested resolution for award are enclosed.

FISCAL IMPLICATIONS

There will be no impact on the County's General Fund. All costs associated with the above referenced contract will be paid from Erie County Sewer District No. 5 Capital Reserve Fund No. C.00005.

REASONS FOR RECOMMENDATION

Completion of the project improvements are required to continue meeting the New York State Pollution Discharge Elimination System (SPDES) permit and maintain ongoing reliable operation of the Clarence Research Park STP.

BACKGROUND INFORMATION

The Clarence Research Park STP provides wastewater treatment and disposal service to various customers in Erie County Sewer District No. 5. The building housing the aeration blowers, motor control center, and various electrical and control components is deteriorated and has been temporarily braced to prevent structural failure. The temporary bracing enabled the district to continue using the facility with a minimum of disruption. The proposed project includes installation of a new replacement building, transfer of all equipment to the new building, and abandonment of the failing building. The underground electrical power supply from Wehrle Drive to the Clarence Research Park STP is being replaced as the underground line is deteriorated and has failed on occasion. These necessary improvements will enable continued compliance with the SPDES permit, and improve the performance, reliability and service life of the Clarence Research Park STP.

Plans and specifications were prepared by the Division of Sewerage Management and DiDonato Associates, P.E., P.C., for the purpose of receiving bids. Construction bids were received on June 10, 2014. NFP and Sons, Inc. has been deemed the Lowest Responsible Bidder.

CONSEQUENCES OF NEGATIVE ACTION

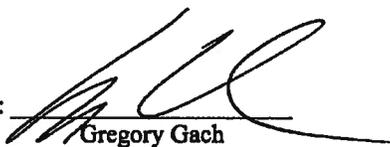
Failure of the Clarence Research Park STP blower building would impact the ability of the facility to treat wastewater, and potentially result in untreated wastewater discharges to the environment, a violation of the state issued SPEDES permit. The improvements are necessary to enable continued regulatory compliance and reliable sanitary sewer service to the customers of Erie County Sewer District No. 5.

STEPS FOLLOWING APPROVAL

The low bidder will be issued a Notice of Award and the Department will initiate the process of executing the contract documents.

COMPTROLLER'S OFFICE REVIEW

The proposed legislation has been reviewed by the Comptroller's Office and is related to an authorized capital project for which there are sufficient capital appropriations for the action proposed.

Signed: 
Gregory Gach
Deputy Comptroller

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: Erie County Sewer District No. 5
Contract No. 19 - Clarence Research Park STP Improvements
Award of Contract

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 5, Clarence Research Park STP Improvements, Contract No. 19 at 2:00 P.M. on June 10, 2014:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract No. 19	NFP and Sons, Inc. 7311 Ward Road North Tonawanda, NY 14120	\$453,300.00

WHEREAS, the aforementioned lowest responsible bidder has successfully completed similar sized construction contracts in Erie County; and

WHEREAS, there is available cash in the County Sewer District No. 5 Capital Reserve Account C.00005.

NOW, THEREFORE BE IT

RESOLVED, the Clarence Research Park STP Improvement project, Contract No. 19, be awarded to NFP and Sons, Inc. in the not to exceed amount of \$453,300.00; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder subject to approval as to content by the Commissioner of the Department of Environment and Planning and approval as to form by the County Attorney's office; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget and Management be authorized and directed to establish a new Capital Project – C.14501 – “ECSD5 CRP STP Upgrades .453M”, with estimated revenues of \$453,300.00 ((486000), Interfund Transfer from Capital Reserve) and appropriations of \$453,300.00 (Professional Services (516020)), and to establish all budgetary accounts necessary to facilitate transfer of funds; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget and Management be authorized to establish budgets as necessary and directed to transfer \$453,300.00 from Erie County Sewer District No. 5 Capital Reserve Account C.00005 to Erie County Sewer District No. 5 Capital Account C.14501; and be it further

RESOLVED, that the Erie County Comptroller be authorized and directed to allocate \$453,300.00 from Erie County Sewer District No. 5 Capital Account C.14501 for this project, and be it further;

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this resolution to the County Executive, the County Comptroller, the Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.

ERIE COUNTY DEPT. OF ENVIRONMENT & PLANNING DIVISION OF SEWERAGE MANAGEMENT				ENGINEER'S ESTIMATE		BIDDER # 1 NFP AND SONS, INC.		BIDDER # 2 KANDEY COMPANY	
CONTRACT : ECSD #5 CLARENCE RESEARCH PARK STP UPGRADES				ALTERNATE A: \$324,500.00		ALTERNATE A: \$393,300.00		ALTERNATE A: \$557,000.00	
BID DATE: JUNE 10, 2014, 2:00PM				ALTERNATE B: \$376,500.00		ALTERNATE B: \$453,300.00		ALTERNATE B: \$626,000.00	
BID SECURITY				N / A		Yes		Yes	
ITEM NO.	DESCRIPTION	UNIT	BID QUANTITY	EST. UNIT COST	EST. TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	MECHANICAL SYSTEMS REMOVAL	LS	1	\$400.00	\$400.00	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00
2	PLUMBING SYSTEMS REMOVAL	LS	1	\$1,600.00	\$1,600.00	\$2,100.00	\$2,100.00	\$10,930.00	\$10,930.00
3	ELECTRICAL, INSTRUMENTATION & CONTROLS SYSTEMS REMOVAL	LS	1	\$6,000.00	\$6,000.00	\$9,000.00	\$9,000.00	\$7,290.00	\$7,290.00
4	ABANDONEMENT OF EXISTING BUILDING	LS	1	\$13,000.00	\$13,000.00	17,800.00	\$17,800.00	\$40,000.00	\$40,000.00
5	NEW PRE-CAST CONCRETE BUILDING	LS	1	\$86,000.00	\$86,000.00	\$156,000.00	\$156,000.00	\$198,000.00	\$198,000.00
6	MECHANICAL SYSTEMS INSTALLATION	LS	1	\$6,000.00	\$6,000.00	\$14,300.00	\$14,300.00	\$8,000.00	\$8,000.00
7A	ELECTRICAL INSTRUMENTION & CONTROL SYSTEM INSTALLATIONS (EXCLUDING POWER FEED)	LS	1	\$137,000.00	\$137,000.00	\$130,000.00	\$130,000.00	\$167,000.00	\$167,000.00
7B	ELECTRICAL INSTRUMENTATION & CONTROL SYSTEM INSTALLATIONS (INCLUDING POWER FEED)	LS	1	\$189,000.00	\$189,000.00	\$190,000.00	\$190,000.00	\$236,000.00	\$236,000.00
8	PLUMBING SYSTEMS INSTALLATION	LS	1	\$42,000.00	\$42,000.00	\$18,500.00	\$18,500.00	\$78,000.00	\$78,000.00
9	START-UP TESTING	LS	1	\$2,500.00	\$2,500.00	\$8,000.00	\$8,000.00	\$5,000.00	\$5,000.00
10	RAILING & STAIR REPAIRS	LS	1	\$4,000.00	\$4,000.00	\$4,400.00	\$4,400.00	\$5,000.00	\$5,000.00
11	RESTORATION	LS	1	\$1,000.00	\$1,000.00	\$5,200.00	\$5,200.00	\$10,780.00	\$10,780.00
12	CONTINGENCY (STIPULATED)	LS	1	\$25,000.00	\$25,000.00	\$25.00	\$25,000.00	\$25,000.00	\$25,000.00
CONTRACT TOTAL									
ALTERNATE A:					\$324,500.00		\$393,300.00		\$557,000.00
CONTRACT TOTAL									
ALTERNATE B:					\$376,500.00		\$453,300.00		\$626,000.00



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June 11, 2014

Erie County Department of Environment and Planning
 Division of Sewerage Management
 95 Franklin Street, Room 1071
 Buffalo, New York 14202

Attn: Mr. William Krug – Assistant Sanitary Engineer
Re: **Clarence Research Park STP Improvements Project**
ECSD No. 5, Contract No. 19
Bid Proposal Acceptance Recommendation

Dear Mr. Krug:

We have reviewed the bid proposals received by the Division of Sewerage Management on Tuesday, June 10, 2014 relative to the above referenced project. A thorough mathematical review and bid tabulation was made of the two (2) Bid Proposals received. The two (2) bids received are as follows:

Contractor	Base Bid Total (Alt. A)	Base Bid Total (Alt. B)
NFP and Sons, Inc.	\$393,300.00	\$453,300.00
Kandey Company, Inc.	\$557,000.00	\$626,000.00

There were no mathematical errors found in either of the two bid proposals received. A copy of our Bid Tabulation has been enclosed for your review and use. Base on our Bid Tabulation, NFP and Sons, Inc. is the apparent low bidder regardless which alternate Base Bid is selected.

The Engineer's Opinion of Probable Construction Cost for the Base Bid was \$324,500 and \$376,500.00 for Bid Bid Totals associated with Alternate A and Alternate B, respectively. A comparison/analysis of NFP's Bid Proposal and the Engineer's Estimate revealed that NFP's Base Bid totals were approximately 20% above the Engineer's Opinion of Probable Construction Costs. The unit price bid for Bid Item No. 5 – New Precast Concrete Building, resulted in the most significant difference between the NFP's Bid and the Engineer's Estimate; NFP's unit price bid for this item was approximately 80% higher than the estimated unit price. As such, we contacted Joshua Prezioso of NFP and Sons, Inc. to discuss the unit price bid for the new pre-cast concrete building and other various aspects of the project. Mr. Prezioso explained that the price bid for the pre-cast concrete building included additional costs associated with potential site accessibility issues including but not limited to tree trimming, access road modifications and also included a potential alternative precast building manufacturer. The alternate precast building manufacturer would provide smaller precast units based on the site accessibility issues resulting in precast costs and higher labor costs to install. These costs were not factored into our price estimated for Bid Item No. 5.

Mr. Prezioso also stated that he was comfortable with their bid prices and understands the scope of the project. NFP and Sons is also currently working on project of similar size for the Erie County Department of Environment and Planning.

Based on the information gathered for this review, we recommend that the Erie County Department of Environment and Planning – Division of Sewerage Management accept the Base Bid proposal



Mr. William Krug
June 11, 2014
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submitted by NFP and Sons, Inc, in the amount of either \$393,300.0 (Alternate A) or \$453,300.00 (Alternate B) at their discretion.

Please do not hesitate to contact me should you have any questions or require any additional information.

Very truly yours,
DiDonato Associates, P.E., P.C.

Anthony M. Buccilli, P.E.
Project Engineer

Enclosure:

cc: John DiDonato, P.E., DiDonato Associates
DiDonato file: 13-2161