



ECLEG APR23'15 PM 3:20

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

April 23, 2015

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

**RE: Erie County Sewer District Nos. 3, 6 & 8
Pretreatment Local Limits for Southtowns AWTF,
East Aurora & Lackawanna WWTPs
Engineering Services Agreement**

Dear Honorable Members:

Enclosed please find a resolution and an accompanying memorandum from the Department of Environment and Planning pertaining to proposed professional services associated with the Southtowns Advanced Wastewater Treatment Facility (AWTF), East Aurora and Lackawanna Wastewater Treatment Plants (WWTPs) Pretreatment Local Limits.

Should your Honorable Body require further information, I encourage you to contact Joseph L. Fiegl, P.E. in the Division of Sewerage Management. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP:MS:cs
Enclosure

cc: Joseph Fiegl – Environment and Planning

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District Nos. 3, 6 & 8
Pretreatment Local Limits for Southtowns AWTF,
East Aurora & Lackawanna WWTPs
Engineering Services Agreement
Date: April 23, 2015

SUMMARY

Award of a contract with CHA Consulting, Inc. (CHA), 2200 Main Place Tower, Buffalo, New York 14202 for professional services associated with the Southtowns Advanced Wastewater Treatment Facility (AWTF), East Aurora and Lackawanna Wastewater Treatment Plants (WWTPs) Pretreatment Local Limits project in an amount not to exceed \$45,429.00 is requested.

FISCAL IMPLICATIONS

There are no fiscal implications to the County's General Fund. All costs associated with the above referenced professional services will be funded from Erie County Sewer District Nos. 3 and 8 Professional Services Account 516020 fund 220 cost center 1831010 and ECSD No. 6 Capital Account C.00064 in the not to exceed amounts of \$25,425.00 and \$19,977.00 respectively.

REASONS FOR RECOMMENDATION

The Erie County Department of Environment and Planning, Division of Sewerage Management issued a request for proposals for firms to assist in the necessary engineering consultant services associated with preparation of Pretreatment Local Limits for the Southtowns AWTF in Erie County Sewer District No. 3, the Lackawanna WWTP in Erie County Sewer District No. 6 and the East Aurora Wastewater Treatment Plant in Erie County Sewer District No. 8. A total of three (3) firms responded to the open solicitation. A proposal review committee consisting of representatives from the Erie County Division of Sewerage Management ranked the responses using a consistent scoring matrix (as published in the Request of Proposals). Based upon the qualifications scoring and the corresponding pricing, CHA received the top rating of the respondents; therefore, in accordance with Section 19.08 of the Erie County Administrative Code, the proposal review committee recommends that CHA be retained to complete the required consultant services.

BACKGROUND INFORMATION

In 1977, The United States Environment Protection Agency (USEPA) promulgated general pretreatment regulations in 40 CFR part 403. The County's local limits for Southtowns AWTF were established in 1984. The East Aurora WWTP does not have any limits established nor does the Lackawanna WWTP. The consulting firm will update the existing limits of the Southtowns AWTF and develop new limits for the East Aurora and Lackawanna WWTPs.

CONSEQUENCES OF NEGATIVE ACTION

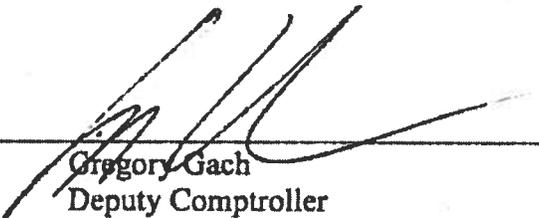
The industrial users may discharge wastewater at concentrations that may not be proper, hence the cost of treatment at the WWTPs may be higher and the protection of water quality may be impacted.

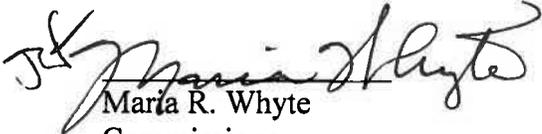
STEPS FOLLOWING APPROVAL

The County Executive will be requested to execute an agreement with CHA in an amount not to exceed \$45,429.00 for professional services.

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  Date 4/10/15
Gregory Gach
Deputy Comptroller


Maria R. Whyte
Commissioner

Encl.

CC: M. Whyte – Department of Environment and Planning
J.Fiegl/0.11.0. Leg Ltr
M. Salah/0.3.2.Local Limits RFP

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**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING**

**Re: Erie County Sewer District Nos. 3, 6 & 8
Pretreatment Local Limits for Southtowns AWTF,
East Aurora & Lackawanna WWTPs
Engineering Services Agreement**

WHEREAS, the County of Erie advertised for and received responses to a request for proposals from consulting firms to perform professional services associated with the Pretreatment Local Limits for Southtowns Advanced Wastewater Facility (AWTF), East Aurora and Lackawanna Wastewater Treatment Plants (WWTPs); and

WHEREAS, a review committee consisting of representatives from the Erie County Division of Sewerage Management was established to evaluate all responses to the County's request for proposals, using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends retaining CHA Consulting, Inc. (CHA) to complete the requested consulting services and;

WHEREAS, there is available cash in Erie County Sewer District Nos. 3 & 8 Professional Services Account 516020 Fund 220 cost center 1831010 and Erie County Sewer District No. 6 Capital Account C.00064.

NOW, THEREFORE, BE IT

RESOLVED, that CHA be retained to perform professional services associated with the Pretreatment Local Limits for the Southtowns AWTF, East Aurora and Lackawanna WWTPs; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute a Professional Services Agreement with CHA, 2200 Main Place Tower, Buffalo, New York 14202 in an amount not to exceed \$45,429.00, 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 contract be funded as follows: \$19,977 from Erie County Sewer District No. 6, Capital Account C. 00064 for this project and \$25,425 from Fund 220 cost center 1831010, Account 516020 Professional Services for the ECSD Nos. 3 & 8 portion; and it be further

RESOLVED, that the Clerk of the Legislature send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, and Gregory Kammer, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph Fiegl, P.E., Division of Sewerage Management.

APPROVAL TO DISBURSE CAPITAL PROJECT CASH
(use a separate form for each capital project)

SEWER CAPITAL C.00064

TITLE Erie County Sewer District No. 6
Increase & Improvements (I&I) 2005

PROJECT PURPOSE: The increase and improvement of facilities including the replacement and rehabilitation of sewer lines and related work including pump stations and connection to BSA.

PROJ. AUTHORIZATION: BUDGET YEAR _____ OR DATE OF LEGISLATION 03/14/05

BOND RESOLUTION(S) AUTHORIZING PROJECT: TOTAL \$ 4,000,000

DATE(S) 03/14/05

AMT(S) \$ 4,000,000 \$ _____ \$ _____ \$ _____

CONTRACT PURPOSE: To coordinate and facilitate the Holland Avenue Road Rehab. Project in the City of Lackawanna that will achieve cost containment and efficiency for the residents within the project area and the ratepayers.

CONTRACTOR/ENGINEER	\$ AMOUNT	W.B.S.	TOTAL AVAILABLE APPROPRIATION
<u>CHA</u>	\$ <u>19,977.50</u>	<u>C.00064.</u>	_____
TOTAL	\$ _____	_____	_____

CHANGE ORDERS: PROJECT LEGISLATIVE HISTORY FOR THIS CONTRACT

DATE	DESCRIPTION (Orig. Enc. Inc., Dec)	Amount	SAP Doc#
_____	_____	\$ _____	_____

REQUESTED BY:	<u>Math Salah</u>		
	<u>Initials</u>	<u>Date</u>	
Amount Allocated	\$ <u>2,668,300</u>	<u>[Signature]</u>	<u>4/14/15</u> Deputy Commissioner
Amount Available	\$ <u>1,741,411</u>	<u>[Signature]</u>	<u>4/9/15</u> Accountant



**ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT
 LOCAL LIMITS SOUTHTOWNS & EAST AURORA STPS
 PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY**

MARK C. POLONCARYZ
 COUNTY EXECUTIVE
 MARIA R. WHYTE
 COMMISSIONER
 JOSEPH L. FIEGL, P.E.
 DEPUTY COMMISSIONER

Commissioner's Certification

Rater (in alphabetical order)	Proposers		
	AECOM	CHA	C&S
G. Absolom	#3	#2	#1
R. Klosko	#3	#1	#2
M. Salah	#2	#3	#1
L. Surdej	#3	#1	#2
TOTAL	11	7	6
AVERAGE RANKING	2.8	1.8	1.5
QUALIFICATIONS RANKING	#3	#2	#1
COST PROPOSAL	\$86,759.45	\$45,429.00	\$99,890.81
OVERALL RANKING	#3	#1	#2

Based on the qualifications rating and price proposals the selection committee ranked CHA as the overall #1 firm to perform this contract.

It is my opinion in recommending CHA, the Erie County Department of Environment and Planning has complied with all applicable provisions of Section 19.08 of the Erie County Administrative Code. Scoring sheets and other materials related to this matter are available for review at the Department of Environment and Planning offices during regular business hours.


 MARIA R. WHYTE, Commissioner / Dpty County Executive
 Erie County Department of Environment and Planning

Salah, Mutasem

From: Fiegl, P.E., Joseph L.
Sent: Wednesday, April 01, 2015 12:42 PM
To: Salah, Mutasem
Subject: Notes from the meeting

Matt,

Here are my notes (add whatever else you believe is necessary):

- 4/1/15 at 10:30am; Southtowns AWTF Conference Room
- Attendees:
 - Rating Team: Glenn Absolom, Robert Klosko, Mutasem Salah, and Laura Surdej
 - Deputy Commissioner Joseph Fiegl
- The selection team revealed their scoring based on the matrix provided in the RFP (1 – being the top rated firm). This rating is solely based on qualifications:

Rater	AECOM	CHA	C&S
G. Absolom	3	2	1
R. Klosko	3	1	2
L. Surdej	3	1	2
M. Salah	2	3	1
TOTAL (lower is better)	11	7	6

- All raters commented that CHA and C&S were both close in their rankings and that they would be comfortable with either firm considering they have past experience doing this type of work and staff that are well qualified. Everyone also commented that AECOM did not present past projects that were similar in scope to what is in this effort.
- The proposals included the necessary sign-offs (proposer certification, equal pay certification, etc.)
- The sealed price proposals were opened:

Scope Item	AECOM	CHA	C&S
ECSD Nos. 3 and 8	\$57,953.90	\$25,452.00	\$48,234.25
ECSD No. 6 (optional)	\$28,815.55	\$19,977.00	\$51,656.56
TOTAL	\$86,769.45	\$45,429.00	\$99,890.81

- L. Surdej commented that both AECOM and C&S included conducting industrial waste surveys for the optional ECSD No. 6 work. That would not need to be done by a consultant as the County has already completed those surveys. Therefore, should we proceed with the ECSD No. 6 scope, the AECOM and C&S costs for the ECSD No. 6 work would likely be slightly less than what is quoted.
- G. Absolom noted that CHA and C&S had out of town staff completing large portions of the work. Considering the scope, that should not pose problems.
- The group commented that although there are no categorical users in ECSD No. 6, with the proposed development on the former Bethlehem Steel site it would be helpful to have local limits in place. G. Absolom and J. Fiegl stated that it will assist with economic development in the future in that any potential users on the site would have more certainty as to what would be required.
- J. Fiegl commented that the total cost submitted by CHA is less than what the other firms submitted for the ECSD Nos. 3 and 8 portion only. He asked if the difference in qualifications warranted considering going with a more expensive cost.
 - All reiterated that they had CHA and C&S rated closely, with a point here or there influencing the overall ranking. Both firms are certainly well qualified for the work. AECOM did not present as well as the others in this proposal.
 - M. Salah noted that CHA appeared to have the most relevant experience (past projects).

- R. Klosko commented that CHA had more hours for an environmental chemists/scientists, which could certainly complete the work and do so at a lower rate.
- Therefore, it was unanimous of all raters and J. Fiegl that CHA be selected for this project and the optional ECSD No. 6 scope be included.
- The meeting concluded at approximately 11:00am.

PROJECT TITLE: C.00064 2005 ECSD #6 Inc & Imp \$4M

1) IS THE REASON FOR THIS CONTRACT CONSISTENT WITH THE PURPOSE OF THE PROJECT: YES NO

IF NO, RETURN THIS REQUEST TO THE DEPARTMENT

IF YES, COMPLETE THE FOLLOWING VERIFICATION

2) PROJECT AVAILABLE APPROPRIATION

TOTAL PROJECT REVENUES	\$ <u>2,413,976.80</u>
TOTAL PROJECT APPROPRIATIONS	\$ <u>4,409,712.50</u>
LESS: TOTAL EXPENDITURE TO DATE	\$ <u>2,629,309.01</u>
TOTAL COMMITMENTS	\$ <u>149,889.65</u>
AVAILABLE APPROPRIATIONS AS OF DATE OF REQUEST	\$ <u>1,630,513.84</u>
LESS: CONTRACT AMOUNT (Unused portion)	<u>19,977.00</u>
NET AVAILABLE APPROPRIATIONS	\$ <u>1,610,536.84</u>

COMMENTS: Project cash balance is \$0.00. \$188,854.32 cash advances were made to fund excess expenditure net of cash retention over revenue.

REQUEST APPROVED: _____

REQUEST DENIED: _____

DATE: 4/16/15

**COUNTY OF ERIE
DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT**

COMPTROLLER'S
RECEIVED
15 APR 14 AM 11:30

* * MEMORANDUM * *

FROM: Matt Salah, P.E., Sr. Coordinator Sewer Construction Projects
TO: Gregory Gach, Deputy Comptroller
DATE: April 14, 2015
RE: ECSD Nos. 3, 6 & 8
Pretreatment Local Limits for Southtowns AWTF,
East Aurora & Lackawanna WWTPs
Engineering Services Agreement

Please find attached for your signature, is a legislative memorandum for the above referenced Engineering Contract Agreement with CHA Consulting, Inc. Part of the funds for this agreement are allocated from the ECSD No. 6 Capital Account C.00064.

Should you have any questions please call x6990.

Please call x8383 when ready for pickup.

MS: cs

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