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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

November 11, 2016

The Honorable
Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, NY 14202

Re: Erie County Sewer District Nos. 1-6 and 8
Construction Inspection Term Agreements

Dear Honorable Members:

Enclosed please find a resolution and an accompanying memorandum from the Department of Environment and Planning pertaining to proposed agreement to perform construction inspection over a three (3) year term for the County Sewer Districts.

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

Sincerely,

Mark Poloncarz, Esq.
Erie County Executive

cc: Joseph L. Fiegl, Deputy Commissioner, Division of Sewerage Management

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MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Erie County Sewer District Nos. 1-6 and 8
Construction Inspection Term Agreements
Date: November 11, 2016

SUMMARY

Award of agreements to DiDonato Engineering & Architectural Professionals (689 Main St., Buffalo, New York 14203), Greenman-Pedersen, Inc. (4950 Genesee Street, Suite 165, Buffalo, New York 14225), Nussbaumer & Clarke, Inc. (3556 Lake Shore Rd, Buffalo, New York 14219), and Wm. Schutt and Associates (37 Central Avenue, Lancaster, NY 14086) each in an amount not-to-exceed $200,000 to perform professional services associated with construction inspection for the Erie County Sewer Districts (ECSDs) over a three (3) year term is requested.

FISCAL IMPLICATIONS

There are no fiscal implications to the County's General Fund. Payment under the proposed agreements will be made from either the Sewer District Capital or Operating Accounts.

REASONS FOR RECOMMENDATION

The Erie County Department of Environment and Planning – Division of Sewerage Management widely published a Request for Proposals (RFP) for firms to assist in construction inspection services for the ECSDs. A total of eight (8) firms responded on September 9, 2016 to the open solicitation. A review committee consisting of staff from the Division of Sewerage Management (DSM) rated all timely received responses to the RFP in accordance with Section 19.08 of the Erie County Administrative Code. Based upon the rankings and the anticipated workload, the four (4) top scoring firms have been recommended by the DSM's rating committee.

BACKGROUND INFORMATION

The Erie County Division of Sewerage Management is limited in the number of staff available to perform construction inspection services for various projects throughout the ECSDs. When in-house staff are unavailable, the Division has historically utilized outside consulting firms to perform inspection. This is the fifth time the Division of Sewerage Management will be requesting that Your Honorable Body authorize executing agreements with consulting firms to assist in performing construction inspection.

CONSEQUENCES OF NEGATIVE ACTION

The Division of Sewerage Management would be required to issue requests for proposals for each and every work project assignment when in-house staff are unavailable, leading to long delays and potential cost increases.

STEPS TO FOLLOW APPROVAL

The County Executive will be requested to execute three (3) year term agreements with DiDonato Engineering and Design Professionals, Greenman-Pederson, Inc., Nussbaumer & Clarke, Inc., and Wm. Schutt and Associates in amounts not to exceed $200,000.00 each for the aforementioned services. Upon execution of an agreement and when the need arises, the DSM will identify projects and will subsequently designate where funds are to be appropriated through implementation of a work order with the applicable consultant. Your Honorable Body will be informed of each work project assigned to one of the firms.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Erie County Sewer District Nos. 1-6 and 8
Construction Inspection Term Agreements

WHEREAS, the Erie County Department of Environment and Planning through its Division of Sewerage Management is responsible for the inspection of construction work completed in the Erie County Sewer Districts; and

WHEREAS, the Division of Sewerage Management is limited in the number of staff available to perform construction inspection for various projects; and

WHEREAS, the Division of Sewerage Management issued a request for proposals for construction inspections services on a term contract basis and received eight (8) timely responses from engineering firms; and

WHEREAS, in accordance with Section 19.08 of the Erie County Administrative Code, an evaluation committee scored all responses using a consistent rating matrix; and

WHEREAS, the top four (4) ranked firms submitting proposals have been recommended by the Division of Sewerage Management to perform the requested services

NOW, THEREFORE, BE IT,

RESOLVED, that agreements for construction inspection term contract services with DiDonato Engineering & Architectural Professionals (689 Main St., Buffalo, New York 14203), Greenman-Pedersen, Inc. (4950 Genesee Street, Suite 165, Buffalo, New York 14225), Nussbaumer & Clarke, Inc. (3556 Lake Shore Rd, Buffalo, New York 14219), and Wm. Schutt and Associates (37 Central Avenue, Lancaster, NY 14086) in an amount not to exceed $200,000.00 each over a three (3) year period are hereby approved; and be it further

RESOLVED, that the County Executive, be and hereby is, authorized to execute said agreements subject to approval as to form by the County Attorney and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the County Comptroller be authorized to allocate $200,000.00 for each agreement from any of the Sewer Capital projects in fund 430 or from the Sewer Operating Fund 220 (including business areas 181, 182, 183, and 186, account 516020 (Professional Service Contracts)) as determined by the Deputy Commissioner of the Division of Sewerage Management; and be it further

RESOLVED, that the Division of Sewerage Management, be required to notify the Legislature of each project assigned to an engineering firm under this resolution; and be it further

RESOLVED, that no individual assignment issued under these agreements be greater than $50,000.00; and be it further

RESOLVED, that one (1) certified copy of this resolution be provided to the County Executive, County Comptroller, County Director of Budget and Management, and Kristen Walder (Assistant County Attorney); and two (2) certified copies of this resolution be provided to Joseph Fiegl, P.E., Deputy Commissioner, Division of Sewerage Management.

ERIE COUNTY DIVISION OF SEWERAGE MANAGEMENT
ECSDs No. 1-6 & 8 CONSTRUCTION INSPECTION SERVICES
PROPOSAL REVIEW COMMITTEE RATINGS - SUMMARY

Mark C. Poloncarz, Esq.
COUNTY EXECUTIVE

Thomas J. Hersey
COMMISSIONER

Joseph L. Fiegl, P.E.
DEPUTY COMMISSIONER

Rater	Proposer							
	AECOM	*LIRO*	*URBAN*	*WSA*	*GPI*	*RAVI*	*N&C*	*DIDONATO*
Joseph McNamara	#8	#7	#6	#3	#1	#5	#2	#4
Lorenzo Quebral	#4	#2	#7	#5	#1	#8	#5	#3
Peter Ruffino	#8	#7	#5	#1	#3	#6	#4	#2
Matt Salah	#1	#2	#5	#4	#7	#8	#2	#5
Average Qualifications Scoring	5.25	4.50	5.75	3.25	3.00	6.75	3.25	3.50
Overhead (Office/Field)	154%/144%	103.5%/96%	148%/84%	180%/152%	136%/125%	132%/123%	160%/120%	135%/125%
Residents/Inspectors Hourly Rate Range	$21-$45	$20-$44	$32-$44	$26-$28	$31-$40	$29-$43	$28-$42	$32-$39
QUALIFICATIONS RANKING	#6	#5	#7	#2	#1	#8	#2	#4

It is my opinion in recommending Greenman-Pedersen, Inc. (GPI), Wm Schutt Associates. P.C. (WSA), Nussbaumer & Clarke, Inc. (N&C), and DiDonato Engineering & Architectural Professionals (DiDonato) that the Erie County Department of Environment and Planning - Division of Sewerage Management (DSM) 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 DSM offices during regular business hours.

Joseph Fiegl, P.E.
Deputy Commissioner

Maria R. Whyte
Deputy County Executive