




ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

November 6, 2018

To: Terrence D. McCracken, Secretary to the Authority

From: John J. Mogavero, Chemist/Chief WTPO 

Subject: Furnish and Deliver Halogen Actuators and Controller Units
for Sturgeon Point Water Treatment Plant and Van de Water Water Treatment Plant
ECWA Project No. 201800105

Production Department is requesting the Board Resolution to award and execute the above referenced contract to Koester Associates, Inc. in the amount of \$183,879.00.

On Tuesday, September 11, 2018, the Authority received two bids for the above referenced contract. The bids were reviewed and the apparent low bidder was KNW Sales, LLC d/b/a Pertech (\$138,194.00). A standard letter notifying KNW Sales, LLC that they were an "apparent low bidder" was sent on September 18, 2018. The bidder satisfied the requirements for obtaining MWBE waiver, however the bidder was unable to furnish required insurance (see Email from Pertech dated October 3, 2018 with the attached letter stating that KNW Sales, LLC d/b/a Pertech is not able to furnish required insurance).

In view of the above development, after discussing the issue with Russell J. Stoll, Executive Engineer, the standard letter notifying the second lowest bidder, Koester Associates, Inc., that they were "apparent responsive bidder" was sent on October 23, 2018. Koester Associates, Inc. provided sufficient MWBE documentation and insurance, which was approved by Director of EEO (ECWA) and Claim Representative/Risk Manager respectively.

The extra money needed for the price difference between the originally budgeted amount and the responsive bidder's price (\$37,000.00) is secured via Budget Transfer No. 7 dated November 6, 2018 from Unit 1015, Dept.100, Exp/Capital No.101299, Site Security Study to Unit 1015, Dept.100, Exp/Capital No.101298, Halogen Actuator.

Since this is Invitation to Bid ("Short Form"), the contract has already been executed by the Contractor and needs to be executed by the Chairman pending Legal approval and Board Resolution to award and execute the contract.

Attached please find the following documents:

- ECWA Authorization Form.
- ECWA Recommendation for Award of Contract signed by the Affirmative Action Officer.
- Bid Tab.
- Email from Pertech dated October 3, 2018 with the attached letter stating that KNW Sales, LLC d/b/a Pertech is not able to furnish required insurance.
- Email from Russell J. Stoll, Executive Engineer dated October 5, 2018, regarding award of the contract to the second lowest bidder (Koester Associates, Inc.)
- Budget Transfer Authorization form (Budget Transfer No. 7, dated November 6, 2018).
- Three copies of the Invitation to Bid, already executed by Contractor, Koester Associates, Inc. for execution by ECWA Chairman with approved Minority Business Enterprise Utilization Report – Part A and Insurance.

JJM:jmf

Attachments

cc: R.Stoll

Legal Department

ECWA-366-1801-I-186

P:\ECWA\201800105\Award to Second Low Bidder\Memo03 Award-Exec Koester.docx

ERIE COUNTY WATER AUTHORITY
RECOMMENDATION FOR AWARD OF CONTRACT

Contract: _____	Project No.: <u>201800105</u>
Project Description: <u>Furnish and Deliver Halogen Actuators and Controller Units for Sturgeon Point Water Treatment Plant and Van de Water Water Treatment Plant.</u>	

CONTRACT AWARD	
Contractor/Supplier: <u>Koester Associates, Inc.</u>	
Award Amount: <u>\$183,879.00</u>	

BID SUMMARY	
Date advertised for Bids <u>08/15/2018</u>	Date of Bid Opening <u>09/11/2018</u>
Bidder	Total Bid Amount
<u>KNW Sales, LLC d/b/a Pertech</u>	<u>\$138,194.00</u>
<u>Koester Associates, Inc.</u>	<u>** \$183,879.00</u>
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<u>** See attached memo</u>	
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Attachments: <input checked="checked" type="checkbox"/> Bid Tabulation	<input type="checkbox"/> Consultant's Recommendation

BUDGET:			
<input checked="checked" type="checkbox"/> Capital	<input type="checkbox"/> O & M	Unit No.: <u>1010</u>	Budget Item No.: <u>101281</u>
<input checked="checked" type="checkbox"/> Capital	<input type="checkbox"/> O & M	Unit No.: <u>1015</u>	Budget Item No.: <u>101298</u>
<input type="checkbox"/> Capital	<input type="checkbox"/> O & M	Unit No.: _____	Budget Item No.: _____
<input type="checkbox"/> Capital	<input type="checkbox"/> O & M	Unit No.: _____	Budget Item No.: _____

WMBE APPROVAL (If Applicable):	
<input checked="checked" type="checkbox"/> Affirmative Action Officer <u>Savanya Rester</u>	Date: <u>11/17/2018</u>

Remarks: _____

From: [John J. Mogavero](mailto:John.J.Mogavero@ecwa.org)
To: [Justyna M. Falkowski](mailto:Justyna.M.Falkowski@ecwa.org)
Subject: FW: Halogen Project # 201800105
Date: Tuesday, November 6, 2018 3:48:30 PM

fyi

John J. Mogavero
Chemist and Chief WTPO
Erie County Water Authority
3750 River Rd.
Tonawanda , NY 14150
e: jmogavero@ecwa.org
p: (716) 685 8323 ; m: (716) 480 2870

From: Russell J. Stoll
Sent: Friday, October 5, 2018 1:53 PM
To: John J. Mogavero <jmogavero@ecwa.org>
Subject: RE: Halogen Project # 201800105

This should work.
Russ

From: John J. Mogavero
Sent: Wednesday, October 03, 2018 3:06 PM
To: Russell J. Stoll <rstoll@ecwa.org>
Subject: FW: Halogen Project # 201800105

Russ does the decline letter work to inform the board on rejecting the low bidder and to recommend awarding to the next bidder?

The 2nd bidder Koester is over by \$45,000, the 2018 budget for the plants (P2018105) is short to cover this additional cost.

Please advise

John J. Mogavero
Chemist and Chief WTPO
Erie County Water Authority
3750 River Rd.
Tonawanda , NY 14150
e: jmogavero@ecwa.org
p: (716) 685 8323 ; m: (716) 480 2870

From: David Waldron <dwaldron@pertechinc.com>
Sent: Wednesday, October 3, 2018 2:25 PM
To: John J. Mogavero <jmogavero@ecwa.org>
Subject: Halogen Project # 201800105

Dear John,

Attached is the letter you requested.

Please give me a call if you have any questions.

Dave
David Waldron

Pertech
www.pertechinc.com
586 N. French Rd. Suite # 6
Buffalo, NY 14228
Phone: 716-691-5450
Cell: 716-864-4613
Fax: 716-691-5470

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Budget Transfer Authorization

Budget Transfer No: 7

Date: November 6, 2018

Transfer From:

Unit	Dept	Exp/Capital No.	Description	Amount
1015	100	101299	SITE SECURITY STUDY	\$37,000

Transfer To:

Unit	Dept	Exp/Capital No.	Description	Amount
1015	100	101298	HALOGEN ACTUATOR	\$37,000

Statement as to Necessity of Budget Transfer:

Required Approvals*:

Unit Head: _____
Dept. Head: _____
Budget/Financial Analyst: _____
Executive Engineer: _____
Comptroller: _____
Deputy Director: _____
Executive Director: _____
Board Resolution Date: _____

* See Back of Form for "Outline of Approvals Required for Budget Transfers", Schedule A and "Approvals Required for Creation of New Budget Items", Schedule B

ERIE COUNTY WATER AUTHORITY

Schedule "A"

Outline of Approvals Required for Budget Transfers

If the Budget Transfer is:	Necessary Approvals:							
	<u>Unit Head</u>	<u>Department Head</u>	<u>Budget/Financial Analyst</u>	<u>Executive Engineer</u>	<u>Comptroller</u>	<u>Deputy Director</u>	<u>Executive Director</u>	<u>ECWA Board</u>
Transfer of up to \$75,000 (\$100,000 in Capital) Within the Same Unit	X	X	X					
Transfer of up to \$75,000 (\$100,000 in Capital) Between Units in Same Dept								
Units in Production Department	X	X	X	X				
Units in Distribution Department	X	X	X	X				
Units In Engineering Department	X	X	X	X				
Water Quality Unit	X	X	X	X				
Transfer of up to \$75,000 (\$100,000 in Capital) Between Units in Same Dept:								
Administrative Departments	X	X	X		X			
Transfer of up to \$75,000 (\$100,000 in Capital) Between Depts	X	X	X	X	X	X	X	
Excess of \$75,000 (\$100,000 in Capital)	X	X	X	X	X	X	X	X

Schedule "B"

Approvals Required for Creation of New Budget Items:

If the New Budget Item is:	Necessary Approvals:							
	<u>Unit Head</u>	<u>Department Head</u>	<u>Budget/Financial Analyst</u>	<u>Executive Engineer</u>	<u>Comptroller</u>	<u>Deputy Director</u>	<u>Executive Director</u>	<u>ECWA Board</u>
Under \$10,000	X	X	X	X	X	X	X	
\$10,000 and over	X	X	X	X	X	X	X	X

Revised 9/17/2008