



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

July 6, 2022

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, Senior Distribution Engineer

Subject: Contract NC-043
New Pump Station at the Newstead Water Storage Tank
ECWA Project No. 202100048

On Wednesday, June 22, 2022, 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 lowest acceptable bidder is American Contracting & Environmental Services, Inc. Attached is consultant's (Nussbaumer & Clarke, Inc.) letter of recommendation dated July 5, 2022 with bid tabulation for your use and information.

American Contracting provided adequate insurance, approved by Claims Representative/Risk Manager, and proof of apprenticeship program, approved by the Secretary to the Authority. With regard to the WMBE documentation, the apparent low bidder has been working with Director of EEO (ECWA) to determine the final WMBE utilization plan for the contract. It is anticipated that an agreement will be reached prior to the July 21st Board Meeting and the Board will be appraised of the final Utilization Plan at that time.

We, therefore, recommend award of the above referenced contract to American Contracting & Environmental Services, Inc. in the amount of \$1,695,000.00, subject to legal review.

Budget Information (2022-Engineering Services and Construction):

- Unit 2520 Engineering/Construction Control
- Item No. 101589 Newstead PS Improvements

Attached please find the following documents:

1. ECWA Authorization Form.
2. ECWA Recommendation for Award of Contract form.
3. Bid Tabulation.

MJQ:lal1

Attachments

cc: R.Stoll,

L.Kowalski

W.Wheeler

L.Lester

CONT-NC-043-2101-X-12

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

Contract: NC-043 **Project No.:** 202100048
Project Description: New Pump Station at the Newstead Water Storage Tank.

Item Description:








Agreement Professional Service Contract Amendment Change Order
 BCD NYSDOT Agreement Contract Documents Addendum
 Recommendation for Award of Contract Recommendation to Reject Bids
 Request for Proposals
 Other _____

Action Requested:


Board Authorization to Execute Legal Approval
 Board Authorization to Award Execution by the Chairman
 Board Authorization to Advertise for Bids Execution by the Secretary to the Authority
 Board Authorization to Solicit Request for Proposals
 Other _____

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr. Distribution Engineer	<u></u>	Date: <u>7/11/2022</u>
<input checked="" type="checkbox"/> Chief Operating Officer	<u></u>	Date: <u>7/11/2022</u>
<input checked="" type="checkbox"/> Executive Engineer	<u></u>	Date: <u>07/11/2022</u>
<input checked="" type="checkbox"/> Director of Administration	<u></u> * pending final MWBE verification	Date: <u>07/11/2022</u>
<input checked="" type="checkbox"/> Risk Manager	<u></u>	Date: <u>07/11/2022</u>
<input checked="" type="checkbox"/> Chief Financial Officer	<u></u>	Date: <u>07/11/2022</u>
<input checked="" type="checkbox"/> Legal	<u></u>	Date: <u>7-11-22</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority	<u></u>	Date: <u>7-11-22</u>
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Remarks: Lump Sum Contract

Resolution Date: _____ **Item No:** _____

July 5, 2022

William W. Wheeler, P.E.
Distribution Engineer
Erie County Water Authority
3030 Union Road
Buffalo, NY 14227



Re: Contract NC-043
New Pump Station at the Newstead Water Storage Tank
ECWA Project No. 202100048
Award Recommendation
File No. 20J1-0154

Dear Mr. Wheeler:

In accordance with the Notice to Bidders, and the New York State Contract Reporter, sealed bids for the New Pump Station at the Newstead Water Storage Tank, Contract NC-043, were opened and read aloud at 10:30 a.m. EST on June 22, 2022, at the Erie County Water Authority, 3030 Union Road, Buffalo, NY. A total of two (2) bids were received. The results are per the attached bid tabulation and are summarized as follows.

Bidder	Total Bid Amount
American Contracting & Environmental Services Inc.	\$ 1,695,000.00
STC Construction	\$ 1,798,000.00

Nussbaumer & Clarke, Inc. (Nussbaumer) has evaluated the bids received, and has found them to be complete and responsible. In review of the low bid received, that submitted by American Contracting & Environmental Services Inc. (ACE), Nussbaumer reached out to several of the references listed on their Bidders Qualification Statement. Of the individuals that have responded to date, all have provided a positive recommendation (see attached emails). Nussbaumer has also spoken with Mr. Zachary Hein, who if awarded the Contract, will be the ACE Project Manager overseeing all construction activities. Based on our investigations and correspondences, it is our opinion that ACE is qualified to completed this project.

Pending the Erie County Water Authority's approval of the bidder's Bid Bond, MWBE submittal, and insurance, Nussbaumer recommends award of Contract NC-043, New Pump Station at The Newstead Water Storage Tank to the lowest responsible bidder, American Contracting & Environmental Services Inc., in the total amount of \$1,695,000.00.

William W. Wheeler, P.E.
Erie County Water Authority
July 5, 2022



Should you have any questions or require additional information regarding this matter, please contact us at your convenience.

Sincerely,

NUSSBAUMER & CLARKE, INC.

Carl R Calarco, P.E.
Project Manager

w/attachments

c: File – 02 and 16 (w/encl.)

From: [Carl Calarco](#)
To: aaron.montgomery@dcwater.com; walters@charlescountymd.gov; gbravo@j2engineers.com; rshomler@khav.com; mhall@gmbnet.com; bob.angelatti@uosa.org; beth.maloney@stantec.com; dscott@pwcsa.org; chris.remme@arcadis.com; tblake@buffalosewer.org; jaimeljohnson@aecom.com
Subject: American Contracting & Environmental Services, Inc. (ACE)
Date: Thursday, June 30, 2022 3:34:10 PM
Attachments: [image001.png](#)

ACE recently submitted a bid to one of our projects in which they are the apparent low bidder. I am reaching out to you as you were listed on their project reference sheet. Being a MD based firm, we are unfamiliar with them. As such, I would like to ask all of you for any comments you may be willing to offer me regarding your experience with them. Email response is preferred.

Thank you, and I appreciate your time in considering my request.

--Carl



Carl R. Calarco, P.E.

Project Manager

3556 Lake Shore Road, Suite 500

Buffalo, NY 14219-1494

p: 716.827.8000 x 212 | **c:** 716.244.8313

email: ccalarco@nussclarke.com

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From: [Aron M. Montgomery](#)
To: [Carl Calarco](#)
Subject: RE: American Contracting & Environmental Services, Inc. (ACE)
Date: Wednesday, July 6, 2022 10:49:22 AM
Attachments: [image001.png](#)

External Email: Exercise caution with links and attachments.

Hi Carl,

I've managed a couple projects with ACE acting as the Prime Contractor. In general, they have performed well as a prime. They did experience some management issues with their subcontractors related to compliance with scope requirements/final deliverables. Nothing that would prohibit them from being considered for future work but is certainly something to emphasize prior to any upcoming awards.

Regards,

From: Carl Calarco <ccalarco@nussclarke.com>
Sent: Thursday, June 30, 2022 3:34 PM
To: Aaron M. Montgomery <Aaron.Montgomery@dcwater.com>; walters@charlescountymd.gov; gbravo@j2engineers.com; rshomler@khav.com; mhall@gmbnet.com; bob.angelatti@uosa.org; beth.maloney@stantec.com; dscott@pwcsa.org; Remme, Chris <chris.remme@arcadis.com>; tblake@buffalosewer.org; jaimeljohnson@aecom.com
Subject: American Contracting & Environmental Services, Inc. (ACE)

EXTERNAL EMAIL: This email was NOT sent by a DC Water Team Member. Use CAUTION before CLICKING a link or OPENING any attachment in this email.

ACE recently submitted a bid to one of our projects in which they are the apparent low bidder. I am reaching out to you as you were listed on their project reference sheet. Being a MD based firm, we are unfamiliar with them. As such, I would like to ask all of you for any comments you may be willing to offer me regarding your experience with them. Email response is preferred.

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--Carl

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From: [Matthew M. Hall](#)
To: [Carl Calarco](#)
Cc: [Shomler, Robert](#)
Subject: RE: American Contracting & Environmental Services, Inc. (ACE)
Date: Thursday, June 30, 2022 3:49:57 PM
Attachments: [image002.png](#)
[image004.png](#)
[image003.png](#)

External Email: Exercise caution with links and attachments.

Carl,

GMB is currently providing Contract Administration services for K. Hovnanian Homes (represented by Rob Shomler who is CC'd) for the construction of a ~\$10m water treatment facility that is being built by ACE.

As of this date, ACE has been one of, if not the best contractor that I have worked with so far in my career. Their project management staff is incredibly organized and thorough, and has proven to be very straightforward and responsive when called upon. In terms of manpower, they have continually had staff on site, and have had an abundance of laborers available which has proven to keep the project moving along efficiently, within the established construction schedule.

I would highly recommend ACE for your project and am confident that, if they perform to the level they have thus far for the Stevensville WTP project, you will be satisfied with the results.

Please feel free to reach out to me if you have any questions.

Thank you,
-Matt

Matthew M. Hall, E.I.T.
Project Engineer
206 West Main Street | Salisbury, MD | 21801
410.742.3115 (O) | 443.783.9950 (C) | www.gmbnet.com | [Find us on facebook](#)

From: Carl Calarco <cclarco@nussclarke.com>
Sent: Thursday, June 30, 2022 3:34 PM
To: aaron.montgomery@dcwater.com; walters@charlescountymd.gov; gbravo@j2engineers.com; rshomler@khav.com; Matthew M. Hall <mhall@gmbnet.com>; bob.angelatti@uosa.org; beth.maloney@stantec.com; dscott@pwcsa.org; chris.remme@arcadis.com; tblake@buffalosewer.org; jaime.l.johnson@aecom.com
Subject: American Contracting & Environmental Services, Inc. (ACE)

You don't often get email from cclarco@nussclarke.com. [Learn why this is important](#)

ACE recently submitted a bid to one of our projects in which they are the apparent low bidder. I am reaching out to you as you were listed on their project reference sheet. Being a MD based firm, we

are unfamiliar with them. As such, I would like to ask all of you for any comments you may be willing to offer me regarding your experience with them. Email response is preferred.

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--Carl



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ECWA CONTRACT NO.: NC-043
NEW PUMP STATION AT THE NEWSTEAD WATER STORAGE TANK
PROJECT NO. 202100048
PROJECT BID RESULTS
 June 22, 2022, 10:30 am EST

Base Bid								
CONTRACTOR	Item 1 - New Pump Station	Item 1B - Site Work, Electrical Services, and Stand-by Diesel Generator	Item 2 - Cash Allowance	Item 2B - Cash Allowance for National Fuel Gas Work	Item 2C - Cash Allowance for PLC and SCADA System Work	Item 2D - Cash Allowance for Inspection and Repair of Spare Primary Conduit	Item 3 - Contingency Allowance	Total Amount Base Bid (Items 1-3)
American Contracting & Environmental Services Inc.	\$ 1,195,000.00	\$ 250,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 5,000.00	\$ 200,000.00	\$ 1,695,000.00
STC Construction	\$ 1,229,000.00	\$ 319,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 5,000.00	\$ 200,000.00	\$ 1,798,000.00

 : Low Bid Received

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

Contract: NC-043 Project No.: 202100048
 Project Description: New Pump Station at the Newstead Water Storage Tank

CONTRACT AWARD

Contractor/Supplier: American Contracting & Environmental Services, Inc.
 Award Amount: \$1,695,000.00

BID SUMMARY:

Date Advertised for Bids: 05-23-2022 Date of Bid Opening 06-22-2022

Bidder	Total Bid Amount
<u>American Contracting & Environmental Services, Inc.</u>	<u>\$1,695,000.00</u>
<u>STC Construction, Inc.</u>	<u>\$1,798,000.00</u>
_____	<u>\$0.00</u>
_____	<u>\$0.00</u>
_____	<u>\$0.00</u>
_____	<u>\$0.00</u>
_____	<u>\$0.00</u>
_____	<u>\$0.00</u>
_____	<u>\$0.00</u>
_____	<u>\$0.00</u>

Attachments: Bid Tabulation Consultant's Recommendation

APPROVALS (Select applicable)

WMBE APPROVAL

_____ No Waiver
 _____ Full Waiver
 Partial Waiver

Affirmative Action Officer *Savanya Jester* Date 07/19/2022

INSURANCE APPROVAL

Claims Rep/Risk Manager *Molly Op Musarra* Date 07/08/2022

NYS CERTIFIED APPRENTICESHIP PROGRAM APPROVAL

Secretary to the Authority *TCD* Date 7/11/22

Remarks: _____

