

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

Contract: _____ **Project No.:** 201900023

Project Description: Furnish and Deliver 10 Booster Pumps and Motors for
ECWA Pump Stations.

Item Description:

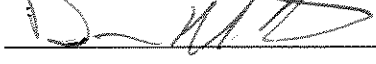
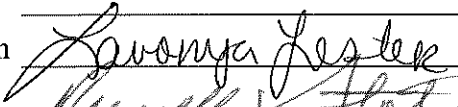

- | | | | |
|---|---|---|---------------------------------------|
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Professional Service Contract | <input type="checkbox"/> Amendment | <input type="checkbox"/> Change Order |
| <input type="checkbox"/> BCD | <input type="checkbox"/> NYSDOT Agreement | <input type="checkbox"/> Contract Documents | <input type="checkbox"/> Addendum |
| <input type="checkbox"/> Recommendation for Award of Contract | <input checked="" type="checkbox"/> Recommendation to Reject Bids | | |
| <input type="checkbox"/> Request for Proposals | | | |
| <input type="checkbox"/> Other _____ | | | |

Action Requested:

- | | |
|---|--|
| <input type="checkbox"/> Board Authorization to Execute | <input checked="" type="checkbox"/> Legal Approval |
| <input type="checkbox"/> Board Authorization to Award | <input type="checkbox"/> Execution by the Chairman |
| <input checked="" type="checkbox"/> Board Authorization to Advertise for Bids | <input type="checkbox"/> Execution by the Secretary to the Authority |
| <input type="checkbox"/> Board Authorization to Solicit Request for Proposals | |
| <input type="checkbox"/> Other _____ | |

Approvals Needed:

APPROVED AS TO CONTENT:

- | | | |
|--|--|--------------|
| <input checked="" type="checkbox"/> Department Head |  | Date: 6/3/19 |
| <input type="checkbox"/> Risk Manager | _____ | Date: _____ |
| <input checked="" type="checkbox"/> Director of Administration |  | Date: 6/3/19 |
| <input checked="" type="checkbox"/> Executive Engineer |  | Date: 6/3/19 |

APPROVED AS TO FORM:

- | | | |
|---|--|--------------|
| <input checked="" type="checkbox"/> Legal |  | Date: 6/3/19 |
|---|--|--------------|

APPROVED FOR BOARD RESOLUTION:

- | | | |
|--|---|--------------|
| <input checked="" type="checkbox"/> Secretary to the Authority |  | Date: 6/5/19 |
|--|---|--------------|

Remarks: _____

Resolution Date: _____

Item No: _____





ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

May 31, 2019

To: Terrence D. McCracken, Secretary to the Authority

From: David M. Patton, Senior Production Engineer

A handwritten signature in dark ink, appearing to be "D. Patton", written over a horizontal line.

Subject: Furnish and Deliver 10 Booster Pumps and Motors for ECWA Pump Stations
ECWA Project No. 201900023

On Tuesday, May 21, 2019, the Authority received bids for the above referenced contract. Prior to the bid opening the contract was publicly advertised for 26 days; one company picked up a project manual and one bid was received from Cummins-Wagner-Siewert, LLC.

The only bidder (Cummins-Wagner-Siewert, LLC) provided pump information sheets for each specified pump, as required by the contract. ECWA reviewed the pump information, for each pump station, and found that none of the proposed pumps meet the specified suction and discharge diameter sizes required. In the case of the Aurora Pump Station, the existing pump and piping configuration does not allow for this deviation. For the other three pump stations, the proposed pumps would require piping modifications and additions to complete the pumps' installation. The required piping modifications and labor would incur additional costs that are not included in ECWA's budget to complete the project.

After discussing the situation with the ECWA Legal Department and the Director of Administration it was determined that the Authority may choose to exercise Article 5 of the Instructions to Bidders:

"5. THE ECWA, IN THE BEST INTERESTS OF THE PUBLIC, RESERVES THE RIGHT TO REJECT any and all bids, to accept either in whole or in part any one bid or combination of bids as may be provided in the bid specifications, and to waive any informalities in bids. The ECWA does not obligate itself to accept the lowest or any other proposal, and reserves the right to re-bid."

Accordingly, I am recommending that the Board reject the bid opened on May 21, 2019 for the above referenced contract (Cummins-Wagner-Siewert, LLC in the amount of \$216,521.00) and re-bid the contract immediately. Minor revisions will be made to the Project Manual to avoid any unfair advantage for any prospective bidder.

The following documents are attached:

- Blue Authorization Form.
- Email from Paul Miklos, Production Technician.
- One copy of Invitation to Bid.

DMP:CJJ:jmf

cc: R.Stoll

C.Johnson

L.Lester

P.Miklos

PUWA-102-1901_I-186

P:\ECWA\201900023\Bid Rejection\Memo01.docx

Clayton J. Johnson

From: Paul Miklos
Sent: Wednesday, May 29, 2019 3:06 PM
To: Lavonya Lester
Cc: Margaret Murphy; Karen Prendergast; Clayton J. Johnson; David Patton
Subject: RE: Project Number 201900023 Station Booster Pumps

Lavonya,

The basis for recommendation to reject bids is as follows;

Aurora Pump Station – Pentair-Aurora Model 410 5x6-15, with 60HP motor

- Suction/Discharge sizes are NOT as specified, 6" x 5" compared to 8" x 6". The pump & piping configuration does not allow for this deviation.

Clark Street – Grundfos-Paco Model 6015-3/4 KP. Issues:

- Suction/Discharge sizes are NOT as specified, 8" x 6" compared to 10" x 8". The proposed sizes would require replacing the existing concentric reducers on each side of the pump, and piping modifications to accommodate change in laying length of reducers. The piping configuration would allow for this modification; however costs for the required fittings and labor was NOT included in the budget.

Jewett Holmwood – Grundfos-Paco Model 4012-7/8 KP. Issues:

- Suction/Discharge sizes are NOT as specified, 5" x 4" compared to 6" x 4". The proposed sizes would require replacing the existing concentric reducer. The piping configuration would allow for this modification; however costs for the required fittings and labor was NOT included in the budget.

Marilla – Grundfos-Paco Model 4015-9/0 KP. Issues:

- Suction/Discharge sizes are NOT as specified, 5" x 4" compared to 6" x 4". The proposed sizes would require replacing the existing concentric reducer. The piping configuration would allow for this modification; however costs for the required fittings and labor was NOT included in the budget.

I would also like to make minor changes to the bid specifications as follows;

- Specifying all pumps shall be delivered by 12/31/2019.
- efficiencies for all pumps to be reduced to say 75%.

I have a question for legal. With the minor changes to the specifications do we still have Board Authorization to advertise upon rejection of bid or should I check both boxes on the blue sheet **Recommendation To Reject** and **Board Authorization To Advertise For Bids**?

Thanks,

Paul D. Miklos
Production Technician
Erie County Water Authority
3030 Union Road
Cheektowaga, NY 14227

Phone: 716-685-8262

Fax: 716-684-3937

pmiklos@ecwa.org

From: Lavonya Lester

Sent: Wednesday, May 29, 2019 11:19 AM

To: Paul Miklos <pmiklos@ecwa.org>

Cc: Margaret Murphy <mmurphy@ecwa.org>; Karen Prendergast <kprendergast@ecwa.org>

Subject: RE: Project Number 201900023 Station Booster Pumps

Paul,

We are able to reject bids. My question to you is how will you change the specs if you decide to rebid and advertise this out?

Paul, you will also need to fill out a memo and a blue sheet (the memo must give detailed information on why the bid was rejected) The blue sheet must also be filled out and **recommendation to reject bids** must be selected in the item description. These two documents must then be signed off by those on the blue sheet and submitted to Trish.

I hope this helps, Lavonya

From: Margaret Murphy

Sent: Wednesday, May 29, 2019 10:18 AM

To: Karen Prendergast; Lavonya Lester

Subject: FW: Project Number 201900023 Station Booster Pumps

From: Paul Miklos

Sent: Wednesday, May 29, 2019 10:16 AM

To: Margaret Murphy

Subject: Project Number 201900023 Station Booster Pumps

Margaret,

Could you please give me a call at your earliest convenience. I am looking on how to proceed with the award or rejection of the 10 Booster Pumps For ECWA Pump Stations, PN 201900023.

On 05/21/2019 one bidder supplied bids for this contract. After review of this bid it has been determined that this supplier could only supply a portion of the requested pumps as specified in technical specs.

I would like to have the current bid rejected and re-advertise.

Please advise.

Thank You,

Paul D. Miklos

Production Technician

Erie County Water Authority



Erie County Water Authority

3030 Union Road • Cheektowaga, New York 14227-1097
716-684-1510 • FAX 716-684-3937

INVITATION TO BID

Bids, as stated below, will be received and publicly opened by the Secretary to the Authority in accordance with the attached specifications. FAX bids are unacceptable. Bids must be submitted in a sealed envelope to:

TERRENCE D. McCracken
SECRETARY TO THE AUTHORITY
C/O CASHIER'S OFFICE
ERIE COUNTY WATER AUTHORITY
295 MAIN STREET, ROOM 350
BUFFALO, NEW YORK 14203

NOTE: Lower left hand corner of envelope MUST indicate the following:

BID DESCRIPTION: Furnish and Deliver 8 Booster Pumps and Motors (Base Bid) for Erie County Water Authority Pump Stations, with an option for additional 2 Booster Pumps and Motors (Bid Alternates).

PROJECT No.: 201900023

OPENING DATE: Tuesday, ?????? ??, 2019 TIME: ??:?? a.m.

FOR: Horizontal split case centrifugal pumps and motors.

NAME OF BIDDER: _____

If you are submitting other Advertisements to Bid, each bid must be enclosed in a separate envelope.

The following EXHIBITS are attached to and made a part of the bid specifications and part of any agreement entered into pursuant to this Advertisement to Bid. If an Exhibit does not have an X on the line preceding it, then the Exhibit is not required for this particular bid.

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | EXHIBIT "D" | - Bid Bond |
| <input checked="" type="checkbox"/> | EXHIBIT "G" | - Non-Collusive Bidding Certification |
| <input checked="" type="checkbox"/> | EXHIBIT "I" | - State Finance Law Requirements |
| <input checked="" type="checkbox"/> | EXHIBIT "J" | - Section 139-L of State Finance Law, Statement relating to Sexual Harassment Policy |
| <input type="checkbox"/> | EXHIBIT "P" | - Performance Bond |
| <input checked="" type="checkbox"/> | APPENDIX "A" | - Women and Minority Business Enterprise Policy |
| <input checked="" type="checkbox"/> | APPENDIX "B" | - Insurance Requirements |
| <input type="checkbox"/> | APPENDIX "C" | - Prevailing Wage Rate Schedule |

NOTICE TO BIDDERS

The Erie County Water Authority will receive separate, sealed bids for the furnishing of all labor, plant, tools, equipment and specified materials, etc. to **Furnish and Deliver 8 Booster Pumps and Motors (Base Bid) for Erie County Water Authority Pump Stations, with an option for additional 2 Booster Pumps and Motors (Bid Alternates).**

Bids will be received by the Erie County Water Authority until ??:?? a.m. prevailing time, on Tuesday, ??????? ??, 2019 at the Cashier's Office of the Authority, 295 Main Street, Room 350, Buffalo, New York 14203, and then at that time and place will be publicly opened and read.

All bids being mailed (including FedEx, UPS, Priority Mail, etc.) or hand-delivered to the Erie County Water Authority shall be directed to the "CASHIER'S OFFICE" at the address listed above in a sealed envelope and be clearly marked on the outside of the mailing or hand-delivered envelope "**BID ENCLOSED-ECWA Furnish and Deliver 8 Booster Pumps and Motors (Base Bid) for Erie County Water Authority Pump Stations, with an option for additional 2 Booster Pumps and Motors (Bid Alternates)**". Failure to follow the above instructions could result in rejection of the bid.

Beginning at 9:00 a.m., on Friday, ?????? ??, 2019, the Instruction to Bidders, Form of Bid and form of Contract, Specifications, and Security Bonds may be examined at the above address and may be obtained by writing the Cashier's Office at the above address or calling (716) 849-8484, between the hours of 9:00 a.m. and 5:00 p.m.

Each bid shall be accompanied by a certified check or bid bond in the amount of five percent (5%) of the amount of the bid.

In accordance with State Finance Law §§139-j and 139-k, all questions about meaning or intent of the bidding documents shall be submitted to the designated contact person in writing. The designated contact is Attention: David M. Patton, PE, Senior Production Engineer, Erie County Water Authority, 3030 Union Road, Buffalo, New York 14227, telephone 716-685-8229.

The Erie County Water Authority reserves the right to reject any and all bids or to accept any bid deemed to be for the best interest of the Water Authority even though the bid chosen may result in the award of the contract to a bidder whose bid is not mathematically lowest.

ERIE COUNTY WATER AUTHORITY

TERRENCE D. McCracken
Secretary to the Authority