



# ERIE COUNTY WATER AUTHORITY

## INTEROFFICE MEMORANDUM

March 2, 2022

To: Terrence D. McCracken, Secretary to the Authority

From: Leonard F. Kowalski, Executive Engineer *LFK*

Subject: Contract W-034-A  
Storage Tank Refurbishing – Rice Hill, Wohlhueter, Crestwood  
ECWA Project No. 202100193

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On Wednesday, February 2, 2022, the Authority received bids for the above referenced contracts. Prior to the bid opening, the Bid Notice was publicly advertised for 23 calendar days and the Authority received responses from four (4) bidders.

After reviewing the bids, the Engineering Department consulted with the Legal Department regarding these bid submissions and the decision was made to reject the bids.

Pursuant to Public Authorities Law § 1069, ECWA has the authority to reject all bids if it is in the Authority's best interests. Article 22 of the Instructions to Bidders also states the Authority has the right to reject any or all bids, as well as to re-bid the contract if the Authority deems such action to be in the public interest. The power to reject all bids, as set forth in Public Authorities Law § 1069, is like the power given municipal corporations pursuant to General Municipal Law § 103.

Both the Legal and Engineering Departments recommend the Board rejects all the bids submitted on February 2, 2022 and authorize the advertisement for new bids.

Budget Information: The tanks under Contract W-034-A are owned by the Town of Boston and leased-managed by the Authority. The Town of Boston has bonded for the contractor cost and will compensate the Authority directly in accordance with our Cooperative Agreement. Payments to the Contractor will be from an ECWA OWIP (Opening Work in Progress) account.

LFK:jmf  
cc: M. Wymer  
C. Johnson  
M. Carney  
K. Gillette  
CONT-W-034-A-2101-X-12

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

**Contract:** W-034-A

**Project No.:** 202100193

**Project Description:** Storage Tank Refurbishing  
Rice Hill, Wohlhueter, Crestwood

**Item Description:**


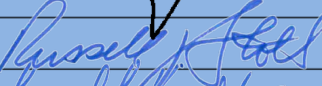
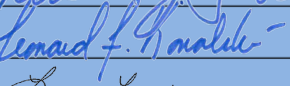

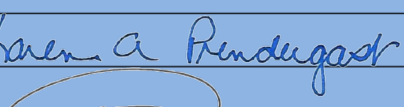

- |   |   |   |                                       |
|---|---|---|---------------------------------------|
| <input type="checkbox"/> Agreement                            | <input type="checkbox"/> Professional Service Contract            | <input type="checkbox"/> Amendment          | <input type="checkbox"/> 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 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 checked="" type="checkbox"/> Other <u>Board Authorization to Reject Bids and Re-advertise Contract</u> |  |

**Approvals Needed:**

**APPROVED AS TO CONTENT:**

- |  |  |                         |
|--|--|-------------------------|
| <input checked="" type="checkbox"/> Sr. Production Engineer    |   | Date: <u>3/1/2022</u>   |
| <input checked="" type="checkbox"/> Chief Operating Officer    |   | Date: <u>3/1/2022</u>   |
| <input checked="" type="checkbox"/> Executive Engineer         |   | Date: <u>03/01/2022</u> |
| <input checked="" type="checkbox"/> Director of Administration |   | Date: <u>03/01/2022</u> |
| <input type="checkbox"/> Risk Manager                          | _____  | Date: _____             |
| <input checked="" type="checkbox"/> Chief Financial Officer    |  | Date: <u>03/01/2022</u> |
| <input checked="" type="checkbox"/> Legal                      |   | Date: <u>3/2/2022</u>   |

**APPROVED FOR BOARD RESOLUTION:**

- |  |   |                     |
|--|---|---------------------|
| <input checked="" type="checkbox"/> Secretary to the Authority |  | Date: <u>3/2/22</u> |
|--|---|---------------------|

**Remarks:** \_\_\_\_\_  
\_\_\_\_\_

**Resolution Date:** \_\_\_\_\_

**Item No:** \_\_\_\_\_