




ERIE COUNTY WATER AUTHORITY
INTEROFFICE MEMORANDUM

March 10, 2023

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, Senior Distribution Engineer 

Subject: Contract MP-088
Sturgeon Point WTP Washwater Tank Replacement
ECWA Project No. 202100111

On Tuesday, February 1, 2023, the Authority received one (1) bid for the above referenced contract. The bid has been reviewed, a mathematical check has been performed, and the apparent low bidder, DN Tanks of New York, LLC (DN Tanks), was found acceptable.

DN Tanks is an established contractor for the Authority who has worked on numerous ECWA contracts, performing work of similar nature in a competent, reliable, and acceptable manner. They have demonstrated a good understanding of the scope and requirements for this contract.

The total Engineer's estimate for the contract was \$3,950,000.00. The bid submitted by DN Tanks is \$3,530,700.00.

DN Tanks has provided adequate MWBE documentation, approved by Director of Administration, insurance, approved by Claims Representative/Risk Manager, and proof of apprenticeship program, approved by the Secretary to the Authority.

We, therefore, recommend award of the above referenced contract to DN Tanks of New York, LLC in the amount of \$3,530,700.00, subject to legal review.

Budget Information (2023 Construction):

Unit: 2510 Eng/Const Sturgeon Point
Item 101608 Washwater Tank Replacement

Attached please find the following documents:

1. ECWA Authorization Form.
2. ECWA Recommendation for Award of Contract form.
3. Letter of recommendation from Arcadis, dated February 23, 2023 and Bid Tabulation.
4. Letter from DN Tanks agreeing to hold their bid prices until April 3, 2023.

MJQ:jmf
Attachments
cc: R.Stoll,
L.Kowalski
C.Johnson
L.Lester
CONT-MP-088-2101-X-12

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

Contract: MP-088 **Project No.:** 202100111
Project Description: Sturgeon Point WTP Washwater Tank Replacement.

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. Production Engineer		Date: <u>3/13/2023</u>
<input checked="" type="checkbox"/> Chief Operating Officer		Date: <u>3/13/2023</u>
<input checked="" type="checkbox"/> Executive Engineer		Date: <u>03/13/2023</u>
<input checked="" type="checkbox"/> Director of Administration		Date: <u>03/13/2023</u>
<input checked="" type="checkbox"/> Risk Manager		Date: <u>3/13/2023</u>
<input checked="" type="checkbox"/> Chief Financial Officer		Date: <u>03/13/2023</u>
<input checked="" type="checkbox"/> Legal		Date: <u>3/13/2023</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>3/14/23</u>
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Remarks: Lump sum contract

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

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

Contract: MP-088 Project No.: 202100111
Project Description: Sturgeon Point Water Treatment Plant Washwater Tank Replacement

CONTRACT AWARD

Contractor/Supplier: DN Tanks of New York, LLC
Award Amount: \$3,530,700.00

BID SUMMARY:

Date Advertised for Bids: 12/12/2022 Date of Bid Opening 02/01/2023

Bidder	Total Bid Amount
<u>DN Tanks of New York, LLC</u>	<u>\$3,530,700.00</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Attachments: Bid Tabulation Consultant's Recommendation

APPROVALS (Select applicable)

WMBE APPROVAL

_____ No Waiver
_____ Full Waiver
 Partial Waiver

EEO Compliance Officer *Savanya Leste* Date 03/13/2023

INSURANCE APPROVAL

Claims Rep/Risk Manager *Molly Jo Musarra* Date 02/24/2023

NYS CERTIFIED APPRENTICESHIP PROGRAM APPROVAL

Secretary to the Authority *[Signature]* Date 2/27/23

Remarks: _____

February 23, 2023

Leonard Kowalski, PE
Executive Engineer
Erie County Water Authority
3030 Union Road
Cheektowaga, NY 14227-1097

Arcadis of New York, Inc.
50 Fountain Plaza
Suite 600
Buffalo
New York 14202
Tel 716 667 0900
Fax 716 842 2612
www.arcadis.com

Subject: Contract No. MP-088
ECWA Project No.: 202100111
Sturgeon Point Water Treatment Plant Washwater Tank Replacement
Recommendation Regarding Award of Construction Contract

Dear Mr. Kowalski,

Bids for the above-referenced Project were received by the Erie County Water Authority (Authority) and opened on February 1, 2023 at 10:00 a.m. at the ECWA Service Center. This letter presents our recommendations relative to award of the Project's single prime construction contract. Overall, it appears that the Bid received is similar to the amount of the Engineer's opinion of probable construction cost and thus are consistent with the Authority's budgeting expectations.

Bids were received from the following contractors:

- DN Tanks of New York, LLC

Enclosed is a tabulation of the Bids received. The Bids are valid for a period of 45 days from date of the Bid opening (i.e., through March 18, 2023).

DN Tanks of New York, LLC has agreed to an extension of the bid as requested by ECWA until April 3, 2023.

Publicity of Project

In addition to the Authority's Invitation to Bid, Arcadis of New York, Inc. (Arcadis) made significant efforts to engage prospective Bidders regarding this Project. Arcadis furnished copies of the Bidding Documents and other information to Avalon Document Services (the Issuing Office).

Arcadis e-mailed numerous contractors that have submitted bids for similar work on previous public works projects in western New York.

General Contract

Bid Items: This Contract includes a base bid only, without alternative bid items.

Bid Evaluation and Responsiveness: The apparent low Bid was submitted by DN Tanks of New York, LLC. We have evaluated DN Tanks of New York, LLC and determined it to be mathematically correct. DN Tanks of New York, LLC Bid appears to comply with the requirements of the Bidding Documents with one item to note.

Leonard Kowalski, PE
Erie County Water Authority
February 23, 2023

- Bid Item 1 included amount in words, a computed total amount in numeric dollars, and lacked a numeric amount within the “lump sum” parenthesis (Page 0041-13-4). However, the lack of entry of lump sum did not negate their compliance of the requirement of both bid item amounts to be provided in both words and numeric dollar amounts or change the computed total.

Comparison with Budget

The Engineer's opinion of probable cost was \$3,950,000.00 (after Addendum No.1) for the Contract. The price bid by the apparent low responsive and responsible Bidder for the prime construction contract is \$3,530,700.00.

The total price bid by the apparent low Bidder for the prime construction contract is less than the corresponding Engineer's opinion of probable bid pricing. Because sufficient funds appear to be available, we recommend that the Authority award the construction contract and proceed with implementing the Project's construction phase.

Recommendations


We recommend the following:

1. Because DN Tanks of New York, LLC submitted the lowest-priced, responsive, and responsible Bid for the General Contract, subject to review and approval by the Authority, we recommend awarding the General Contract to DN Tanks of New York, LLC, 11 Teal Road, Wakefield, MA 01880 as the Successful Bidder, in the total amount of \$3,530,700.00.
2. The Contract award should be contingent upon the Successful Bidder furnishing acceptably-executed Contract Documents and acceptable insurance, performance bond, and maintenance bond.
3. Upon the Authority's receipt of acceptable insurance, performance bond, maintenance bond, and signed originals of the Contract Documents from the Successful Bidder, the Authority should execute the Contract Documents and Notice to Proceed. After subsequently executing the Contract Documents and Notice to Proceed, the Authority should distribute the executed original Contract Documents and Notice to Proceed to each of the following: Authority, Contractor, and Engineer.

Should you have questions or comments, please contact me at 716 667 6670.

Sincerely,

Arcadis of New York, Inc.



Dan Seider, PE
Project Manager
Email: daniel.seider@arcadis.com

www.arcadis.com

arcadis.com

G:\Projects\ECWA\30076280 - STP Washwater Tank - MP-088\Technical\Bidding Phase\MP-088 Award Recommendation Letter.docx

Leonard Kowalski, PE
Erie County Water Authority
February 23, 2023

Enclosures:

- Bid Tabulation
- DN Tanks of New York, LLC Extension Letter

Electronic Copies:

Michael Quinn, ECWA

Michael Wymer, ECWA

Tim Shafer, Arcadis of New York

TABULATION OF BIDS



OWNER: Erie County Water Authority
Buffalo, New York

Date Advertised:
Date Opened:
Date Tabulated:
Arcadis Project No.:
ECWA Project No.:

December 12, 2022
February 1, 2023
February 6, 2023
30076280
202100111

Prepared By: TCS
Checked By: DJS
Arcadis of New York, Inc.
50 Fountain Plaza, Suite 600
Buffalo, New York 14202

PROJECT: Sturgeon Point Water Treatment Plant Washwater Tank Replacement

General Contract - MP-088

Bidders' Name & Contact Info.

		Engineers Opinion Of Probable Construction Cost	DN Tanks of New York, LLC 11 Teal Rd. Wakefield, MA 01880 Phone: (716) 651-4642
ITEM NUMBER	ITEM DESCRIPTION	AMOUNT BID	AMOUNT BID
1	General Construction	\$3,780,000.00	\$3,360,700.00
2	Contingency Allowance for Site Access Security Services	\$50,000.00	\$50,000.00
3	General Contingency Allowance	\$100,000.00	\$100,000.00
4	General Contingency Allowance for Underground Telephone Line Relocation	\$20,000.00	\$20,000.00
	Total	\$3,950,000.00	\$3,530,700.00
	BID BOND AMOUNT		5% of Bid Amount - \$176,535.00
	SURETY COMPANY		Western Surety Company



**BUILT
FOR THE FUTURE**

February 22, 2023

Mr. Michael Quinn, PE, BCEE
Erie County Water Authority
3030 Union Road
Cheektowaga, NY 14227-1097

Reference: Erie County Water Authority
Contract No: MP-088
Sturgeon Point Water Treatment Plant
Washwater Tank Replacement
Project No. 202100111

Dear Mr. Quinn,

As requested, DN Tanks of New York, LLC hereby agrees to provide an extension of our bid dated February 1, 2023 for the above referenced project until April 3, 2023. Additionally, DN Tanks of New York, LLC is pleased to inform you that we will hold our bid price for this extended period at no additional cost.

Please contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Denise Vuilleumier', written in a cursive style.

Denise Vuilleumier
Director of Human Resources

DV/vdc

cc: T. Schafer, Arcadis
S. Boyle, DN Tanks of New York, LLC
J. Howard, DN Tanks of New York, LLC