

Date: May 19, 2015

To: THE TRUSTEES

From: THE PRESIDENT and CHIEF EXECUTIVE OFFICER

Subject: **Procurement (Services) Contract –
Niagara Power Project Relicensing –
Maintenance Services – Project Intakes
and Observation Area – Contract Award**

SUMMARY

The Trustees are requested to approve the award of a contract to Turf-Tec of Western New York, located in Lockport, NY, for the continued implementation of maintenance services for the lawn, meadow and shelters at the Niagara Power Project Intakes and Upper Niagara River Observation Area. The contract will be awarded for an amount of \$232,262; the term of the contract will be five years.

BACKGROUND

Section 2879 of the Public Authorities Law and the Authority's Guidelines for Procurement Contracts require the Trustees' approval for procurement contracts involving services to be rendered for a period in excess of one year.

This project will involve the mowing of lawns (approximately 6 acres), meadow cutting (approximately 2.6 acres), fall site cleanup, cleaning of six fishermen's shelters, and general site area maintenance at the Authority's Niagara Power Project Intakes and Upper Niagara River Observation Area site in the City of Niagara Falls, NY. The site is publicly accessible and was recently renovated for improved Americans with Disabilities ("ADA") parking and access as well as landscaped for general aesthetic appeal. The area has been maintained by two different contractors since the improvements were completed as part of the commitments made in the Niagara Power Project Relicensing Settlement Agreement that resulted in a new 50-year license.

DISCUSSION

A Request for Quotation ("RFQ"), Q15-5840JR, for the maintenance work was publicly noticed in the New York State *Contract Reporter* on March 10, 2015, and the full RFQ was made available at that time on the NYPA Procurement website. One addendum was issued.

The RFQ was downloaded by thirty (30) firms. Bids were received from the following four firms: Turf-Tec of Western New York (Turf-Tec), Lockport, NY; Gardenville Landscape & Nursery (Gardenville), LLC., West Seneca, NY; Vaillancourt (Vaillancourt), LLC., Clarence, NY; and New York State Industries for the Disabled (NYSID), Albany, NY.

Staff from the Authority's Relicensing and Implementation Division and the Procurement Division evaluated the proposals for technical qualifications and pricing. The Authority's review team was assisted in the technical evaluation by the Authority's Niagara Compliance Implementation Consultant, Gomez and Sullivan Engineers, who assist the Authority with project management of Niagara Project relicensing implementation projects.

Turf-Tec's pricing for the term of the contract is 6.4% lower than the next lowest bid and with the exception of the year 2015, Turf-Tec submitted the lowest bid on an annual basis and provided the lowest unit cost for additional (optional) fertilizing and weeding. The technical review focused on cost and experience. Turf-Tec has the requisite experience, equipment, certifications and references, and submitted the necessary paperwork and information requested in the RFQ. Turf-Tec is a Women-owned Business Enterprise registered with New York's Department of State.

It is recommended that the contract be awarded to Turf-Tec. The contract term will be for five years in the total amount of \$232,962.

FISCAL INFORMATION

Funding for this contract will be provided as part of an annual recurring O&M budget item to support maintenance of recreational facilities.

RECOMMENDATION

The Senior Vice President – Public and Regulatory Affairs recommends that the Trustees authorize the award of a five-year maintenance contract in the amount of \$236,962 for the upkeep of the Niagara Power Project Intakes and Upper Niagara River Observation Area to Turf-Tec of Western New York.

For the reasons stated, I recommend the approval of the above-requested action by adoption of the resolution below.

Gil C. Quiniones
President and Chief Executive Officer

RESOLUTION

RESOLVED, That pursuant to the Guidelines for Procurement Contracts adopted by the Authority, approval is hereby granted to award a maintenance contract to Turf-Tec of Western New York in the amount of \$236,962 for the continued upkeep of the lawn and meadow areas of the Niagara Power Project Intakes and Upper Niagara River Observation Area, as recommended in the foregoing memorandum of the President and Chief Executive Officer;

<u>Contractor</u>	<u>Contract Approval</u>
Turf-Tec of Western New York Lockport, NY (Q15-5840JR)	<u>\$236,962</u>

AND BE IT FURTHER RESOLVED, That the Chairman, the Vice Chair, the President and Chief Executive Officer, the Chief Operating Officer and all other officers of the Authority are, and each of them hereby is, authorized on behalf of the Authority to do any and all things and take any and all actions and execute and deliver any and all agreements, certificates and other documents to effectuate the foregoing resolution, subject to the approval of the form thereof by the Executive Vice President and General Counsel.