

Date: May 19, 2015

To: THE TRUSTEES

From: THE PRESIDENT and CHIEF EXECUTIVE OFFICER

Subject: Construction of Nature Center – Robert Moses State Park –
Capital Expenditure Authorization Request and Contract Award

SUMMARY

The Trustees are requested to authorize capital expenditures in the amount of \$12,112,200 for the engineering and construction of a New Nature Center at the Robert Moses State Park (“RMSP”) of St. Lawrence County (the “Project”). The Trustees are also requested to approve the award of a two-year contract in the amount of \$7.687 million, from the above capital fund, to Bette & Cring, LLC of Watertown, New York (“B/C”) for the Construction of the Project.

Previous funding in the amount of \$1.55 million has been approved by the President and Chief Executive Officer for preliminary engineering and site preparation (deconstruction) and detailed design.

An interim award in the amount of \$250,000 was also approved by the Chief Operating Officer to start preconstruction and mobilization activities. This early funding will allow the project to break ground in early June and complete critical site construction work such as deep excavations, pile driving and foundations prior to adverse weather conditions.

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. Also, in accordance with the Authority’s Expenditure Authorization Procedures, the award of construction contracts exceeding \$3 million require the Trustees’ approval.

Under the FERC-approved Recreation Plan for the St. Lawrence Project, NYPA is required to provide a Nature Center at Robert Moses State Park (“Park”). This facility has been operated as part of the State Park by the New York Office of Parks, Recreation and Historic Preservation (“OPRHP”) for many years. The original Nature Center building was lost to a fire in March 2010, and in the fall 2010, OPRHP notified NYPA of Parks intention to cease operating the Nature Center as a result of mandatory layoffs required of the Agency. NYPA decided that it would prefer to continue the Nature Center operations because 1) the Nature Center is believed to be an important community asset for the area near the St. Lawrence Project, and 2) discontinuing the Nature Center would require a modification to the Approved Recreation Plan, potentially requiring addition of an alternate recreational opportunity to stand in place of the Nature Center. Since late 2010, the Nature Center has operated out of a temporary space (trailers) with NYPA’s support.

The New Nature Center building will support the continuation of the Nature Center's mission as a center of recreational and educational activities within the Park, but in a more modern state-of-the-art facility, to provide learning opportunities in indoor/outdoor natural science education for the public, schools, and community groups.

The prominent spaces of the Nature Center will consist of the Main Lobby, the Class Room and the Exhibits Space. The main themes of the Nature Center will reflect the four major habitats found within the park. The Wetland/Marsh habitat will be displayed in the lobby, while the remaining three habitats, The River, The Woodlands and The Meadows will be the focus of the exhibits in the large exhibit space. The new building will also serve as the offices and headquarters of the Friends of Robert Moses State Park, incorporating an equipment rental and trail send-out station.

The consultant, Stieglitz Snyder Architecture, has lead the effort of detail design, along with its sub-consultants, for the other building engineering disciplines and will serve as the engineer of record. The Nature Center will be constructed with Green Building Design principles in order to achieve LEED Silver Certification. Sustainable building design features will include geothermal heat pumps for cooling and heating, outside air intake heat recovery, rainwater reclamation system, outdoor rain gardens, efficient lighting systems and general material selection for enhanced indoor environmental quality.

DISCUSSION

In response to an advertisement, issued on January 15, 2015, in the New York State *Contract Reporter* for the Construction of the New Nature Center, Inquiry Q15-5803FS, three proposals were received on March 2, 2015. A post-bid addendum was issued on March 16, 2015 to include the New Pump House Construction, with final pricing received on March 27, 2015. Contractors and lump-sum bid pricing, along with the evaluated ranking, are indicated below:

<u>Ranking</u>	<u>Bidder</u>	<u>Base Bid Price</u>	<u>Base Bid Price with Addendum</u>
1	Bette & Cring, LLC Watertown, NY	\$7,076,000	\$7,687,000
2	Murnane Building Contractors, Inc. Plattsburg, NY	\$6,682,200	\$7,105,900
3	Northland Associates, Inc. Liverpool, NY	\$7,373,160	N/A

The proposals were reviewed by an Evaluation Committee consisting of staff members from the Engineer of Record (Stieglitz Snyder) and Authority staff from Engineering, Procurement and Project Management.

In addition to the overall cost of the project, factors taken into consideration in the evaluation process included: compliance with the request for proposal, technical approach for performing the work, proposed project organization, experience of the bidder providing construction services, quality and experience of key project personnel, previous experience with

projects similar to a nature center, past performance and the Authority's knowledge and experience with each bidder.

Other than the fill-in pricing information of the Request for Quotation ("RFQ") line items, Northland Associates, Inc. ("Northland") did not provide any of the documentation or data required to be submitted with the proposal. Since Northland's pricing was the highest of the three bidders, coupled with a non-responsive proposal, they were excluded from further evaluation. An in depth evaluation was performed on the remaining two bidders.

Murnane Building Contractors, Inc. ("Murnane") has provided sufficient information with their proposal to demonstrate adequate experience in general building construction. For this specific application, however, Murnane lacks the level of experience required in the construction of nature centers or similar facilities to meet the Authority's standards for this project.

By contrast, Bette & Cring, LLC (B/C) has presented in their proposal an impressive record and demonstrations of numerous completed projects of similar theme as the RMSP Nature Center, including their recently constructed Nature Center at Tupper Lake. B/C also stands out as a leader in a sustainable building construction as evidenced by their extensive list of LEED-certified construction projects including a LEED Platinum certified building, a major achievement. A further relevant evaluation factor is their experience in construction of geothermal heating and cooling which is the core of the energy efficient systems to be installed at the RMSP Nature Center. Accordingly, although not the lowest priced proposal, B/C was evaluated as the most qualified.

Construction completion is scheduled by end of 2016.

The capital expenditure authorization request is compromised of the following:

Engineering and Design	\$ 917,700
Construction/Installation	\$ 9,557,700
Authority Indirect and Direct Expenses	<u>\$ 1,636,800</u>
TOTAL	\$ 12,112,200

FISCAL INFORMATION

Payments associated with this project will be made from the Authority's Capital Fund.

RECOMMENDATION

The Senior Vice President and Chief Engineer – Operations Support Services, the Vice President – Project Management, the Vice President – Engineering, the Vice President – Procurement, the Vice President – Project and Business Development, the Project Manager and the Regional Manager – Northern New York recommend that the Trustees authorize capital expenditures in the amount of \$12,112,200, and approve the award of a two-year contract to Bette & Cring, LLC in the amount of \$7.687 million, for the construction of the New Nature Center at the Robert Moses State Park of St. Lawrence County.

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 Authority’s Expenditure Authorization Procedures, capital expenditures in the amount of \$12,112,200 are hereby authorized in accordance with, and as recommended in, the forgoing memorandum of the President and Chief Executive Officer;

Capital

New Nature Center
Robert Moses State Park

**Expenditure
Authorization**

\$12,112,200

AND BE IT FURTHER RESOLVED, That pursuant to the Guidelines for Procurement Contracts adopted by the Authority and the Authority’s Expenditure Authorization Procedures, approval is hereby granted to award a two-year contract to Bette & Cring, LLC of Watertown, New York in the amount of \$7.687million for the Construction of the New Nature Center at the Robert Moses State Park of St. Lawrence County as recommended in the forgoing memorandum of the President and Chief Executive Officer;

Contractor

Bette & Cring, LLC
(Watertown, New York)
(Q15-5803FS)

Contract Approval

\$7.687 million

AND BE IT FURTHER RESOLVED, That the Authority, in accordance with Treasury Regulation Section 1.150-2, hereby declares its official intent to finance as follows: The Authority intends to reimburse to the maximum extent permitted by law with the proceeds of tax-exempt obligations to be issued by the Authority, all expenditures made and which may be made in accordance with the Project described in the forgoing memorandum of the President

and Chief Executive Officer, with the maximum principal amount of obligations to be issued for such project expected to be \$12,112 million;

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.