

May 21, 2013

MEMORANDUM TO THE TRUSTEES

FROM THE PRESIDENT and CHIEF EXECUTIVE OFFICER

SUBJECT: Niagara Power Project – Administration Building and Power Vista Reception Building Sidewalk Replacement – Contract Award

SUMMARY

The Trustees are requested to approve the award of a two-year contract in the amount of \$571,400 to EdBauer Construction (“EdBauer”), of Blasdell, NY, to replace and renovate various sidewalks and staircases surrounding the Robert Moses Niagara Power Plant’s (“RMNPP”) Administration Building and Power Vista Reception Building at the Niagara Power Project (the “Project”).

In accordance with the Authority’s Expenditure Authorization Procedures, the award of non-personal services contracts exceeding a one-year term require the Trustees’ approval.

BACKGROUND

The existing sidewalks surrounding RMNPP’s Administration Building and Power Vista Reception Building consist of a combination of sidewalks poured during the initial construction of the Project in the 1950’s for public access. A site inspection was performed in 2012 by Hatch Associates and a concrete condition survey report was developed to assess the general condition as well as useful available service life on the original concrete sidewalks. Over the past 50 plus years, frost heaved sections of the sidewalks have created numerous tripping hazards which is a safety concern. Temporary repairs have been made on limited areas but the extensive damage is beyond repair on the basis of heaving caused by freezing and thawing in cold weather seasons. Permanent sidewalk replacement is necessary as recommended in the Investigation Report Condition Survey in order to eliminate numerous tripping hazards.

Overall replacement of the surrounding facility sidewalks is the most cost effective method in achieving safe walking surfaces. The scope-of-work under this contract includes:

- i) Improvements to the entrances to the Administration Building including structural concrete and structural crack repairs to the staircase structures and replacement of the sidewalks and granite curbing.
- ii) Replacement of the sidewalks and granite curbing from the Screen Well Building to the Power Vista Entrance portal along with the installation of new curb ramps which are compliant with the American with Disabilities Act.

- iii) Replacement of the Courtyard sidewalks in order to achieve a uniform appearance to the entrance of the Power Vista, a place commonly visited by thousands of tourists every year.

DISCUSSION

The Authority issued an advertisement to procure bids in the New York State *Contract Reporter* on March 5, 2013 and bid packages were available as of March 4, 2013. The bid documents were downloaded by fifty eight (58) potential bidders and six (6) potential bidders participated in a site visit on March 12, 2013.

The following three proposals were received on April 8, 2013:

<u>Bidder</u>	<u>Location</u>	<u>Lump Sum Bid</u>
EdBauer Construction	Blasdell, NY	\$563,200.00
Sicoli & Massaro., Inc.	Niagara Falls, NY	\$724,800.00
BVR Construction	Churchville, NY	\$1,057,000.00

The proposals were reviewed by an evaluation committee comprising of Authority staff from Engineering, Procurement and Project Management.

EdBauer’s bid was the lowest in price and was also technically acceptable. EdBauer’s, proposed schedule and scope-of-work meet the Authority’s requirements as described in the bid document. EdBauer submitted a comprehensive work plan for the concrete repair and their proposed hazardous materials abatement program, manpower projection and health and safety program are in accordance with New York State Department of Transportation (“NYSDOT”) and Authority standards. EdBauer has performed satisfactorily on previous Authority projects, including the construction of the Niagara University Wall and Berm Project completed in 2009.

The evaluation committee recommends that the contract be awarded to EdBauer for the total lump sum amount of \$571,400 which includes the cost of a performance bond. EdBauer’s experience, safety record, resources, pricing and technical capabilities are sufficient to perform this work and EdBauer took no commercial exceptions to the bidding document

Funding for the first year of the two-year project has been included in the 2013 approved Operations Budget. Future funding will be included in the Operations Budget requests for that year.

FISCAL INFORMATION

Payment associated with this project will be made from the Authority’s Operating 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 Project Manager and the Regional Manager – Western New York recommend that the Trustees approve the award of a multi-year contract to EdBauer Construction of Blasdell, NY, in the amount of \$571,400 to perform the Sidewalk Replacement work at the Power Vista and Administration Buildings located at the Niagara Power Project.

For the reasons stated, I recommend the approval of the above-requested action by adoption of a resolution in the form of the attached draft resolution.

Gil C. Quiniones
President and Chief Executive Officer

Att.
NIA – Sidewalk Replacement

RESOLUTION

RESOLVED, That pursuant to the Guidelines for Procurement Contracts adopted by the Authority, approval is hereby granted to award a two-year contract to EdBauer Construction, of Blasdell, NY, in the amount of \$571,400, to perform the Sidewalk Replacement work at the Power Vista and Administration Buildings located at the Niagara Power Project, as recommended in the attached memorandum of the President and Chief Executive Officer;

Contractor

EdBauer Construction,
Blasdell, NY

Contract Approval

\$571,400

AND BE IT FURTHER RESOLVED, That the Chairman, the Vice Chairman, 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.