

May 21, 2013

**MEMORANDUM TO THE TRUSTEES**

**FROM THE PRESIDENT and CHIEF EXECUTIVE OFFICER**

**SUBJECT: Southeastern New York Air Program Support Services –  
Contract Award**

**SUMMARY**

The Trustees are requested to approve the award of a five-year procurement (services) contract in the amount of \$1.3 million to TSI Turtle Services LLC (“TSI Turtle”) of Linden, NJ for services in connection with the implementation of air program requirements for emission sources at the Authority’s Southeastern New York (“SENY”) plants.

**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.

The Authority’s Expenditure Authorization Procedures (“EAPs”) require the Trustees’ approval for the award of non-personal services, construction, equipment purchase or non-procurement contracts in excess of \$3 million, as well as personal services contracts in excess of \$1 million if low bidder or \$500,000 if sole-source or non-low bidder.

**DISCUSSION**

The Authority’s SENY Region consists of nine (9) facilities, which contain fourteen combustion turbine generators. Each SENY facility has a Title V Air Permit, which allows the Authority to operate the combustion turbine generators as long as their emissions conform to the limits set forth in the permit. The Consultant would support the Authority’s efforts in the timely completion of reports as required by permitting agencies and would also provide an independent third-party review of all documents, ensuring conformance with permit requirements. The firm’s competent personnel would also support the day-to-day duties of the SENY Environmental Coordinator on an “as needed” basis. Additionally, the Consultant would provide on-site services when new regulations or extensive revisions to existing regulations need to be implemented.

In response to the Authority’s Request for Proposals (“RFP”) advertised in the New York State *Contract Reporter* (Inquiry No. Q13-5430MR) on March 4, 2013, seventy-seven (77) companies downloaded the bid documents from the Authority’s Procurement website and eight (8) submitted proposals. The bid pricing is summarized below.

<b>Bidder</b>	<b>City, State</b>	<b>Section A Total</b>	<b>Section B Total</b>	<b>Contract Total</b>
TSI Turtle	Linden, NJ	\$797,875	\$502,125	\$1,300,000
Burns & Roe	Oradell, NJ	\$1,019,024	\$937,500	\$1,956,524
VIM Technologies	Glen Burnie, MD	\$975,000	\$1,031,250	\$2,006,250
Burns & McDonnell	Wallingford, CT	\$1,533,023	\$937,097	\$2,470,120
ESS Group	East Providence, RI	\$1,678,800	\$947,475	\$2,626,275
O'Brien & Gere	Hawthorne, NY	\$1,832,000	\$835,227	\$2,667,227
CHA	Albany, NY	\$1,820,750	\$928,750	\$2,749,500
NAES	Issaquah, WA	\$2,416,960	\$1,325,000	\$3,741,960

Review of the submitted bid proposals established that all eight bidders understand the services required and are qualified to perform the work. All of the bidders provided detailed corporate experience as well as the resumes of the key personnel that would be involved in the program. The corporate work histories and the key personnel resumes were evaluated against the inquiry schedule of services and all of the bidders demonstrated adequate experience and based on the resumes provided are proposing to use adequately qualified personnel.

Therefore, the final decision came down to cost and past Authority experience. Staff first reviewed the firm lump sum pricing submitted by each bidder for data analysis, report preparation and compliance-related activities. Staff then calculated the projected costs based on estimated hours and pricing submitted by each bidder, as further set forth in the award recommendation documents. TSI Turtle, the current contract holder, is both the lowest-priced evaluated bidder and the most technically qualified for providing the SENY air program support services as outlined in the RFP. They have an expert understanding of the Authority's Continuous Emission Monitoring Systems ("CEMS") equipment, the Babcock & Wilcox software, PLC interface, operating facilities, and the reporting process. TSI Turtle reports have consistently been delivered on-time and with a high level of accuracy.

#### FISCAL INFORMATION

Payment associated with this project will be made from the Authority's Operating Fund.

#### RECOMMENDATION

The Senior Vice President – Power Generation, the Vice President – Procurement, the Vice President – Environment, Health and Safety and the Regional Manager – SENY recommend that the Trustees approve the award of a five-year contract to TSI Turtle Services LLC of Linden, NJ in the amount of \$1.3 million to provide Air Program Support Services for the SENY power plants.

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.  
SENY Air Program - Award

**RESOLUTION**

RESOLVED, That pursuant to the Guidelines for Procurement Contracts adopted by the Authority, approval is hereby granted to award a contract to TSI Turtle Services LLC of Linden, NJ, in the amount of \$1.3 million, for Southeastern New York (“SENY”) Air Program Support Services as recommended in the attached memorandum of the President and Chief Executive Officer;

<b><u>Contractor</u></b>	<b><u>Contract Approval</u></b>
TSI Turtle Services LLC Linden, NJ	\$1,300,000

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 approval of the form thereof by the Executive Vice President and General Counsel.