

Date: September 29, 2015

To: THE TRUSTEES

From: THE PRESIDENT and CHIEF EXECUTIVE OFFICER

Subject: Procurement (Services) Contract –
White Plains Office – Garage Centroplex Repairs –
Phase 4 – Contract Award

SUMMARY

The Trustees are requested to approve the award of a five-year contract to Structural Preservation Systems (“SPS”) of Hawthorne, NJ in the amount of \$2,329,505 to perform the White Plains Office Garage Centroplex Phase 4 Repairs (the “Project”) at the White Plains Office Garage Centroplex (the “Facility”). This amount includes the Level 2 (“L2”) Concrete and Unit Price Allowances.

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 an award of non-personal services, construction, equipment purchases and non-procurement contracts in excess of \$3 million, if low bidder, or \$500,000, if sole-source, single-source or non-low bidder.

The Facility has been undergoing annual repairs since 2011 which included Phases 1 through 3 Repair Contracts. Due to increasing repairs, scope and costs, an assessment was performed in 2014 to identify the root cause of the Facility’s deterioration. As a result of the assessment, capital improvements and a five-year rehabilitation program (O&M work) were approved by the Executive Management Committee (“EMC”) in March of 2015. The work under this Contract award request is for O&M work to perform Phase 4 (2015 work) and the necessary repairs to complete the five-year rehabilitation program as approved by the EMC.

Lessons learned from Phases 1, 2 and 3 of the project required 23%, 20%, and 38%, respectively, in Change Orders because of underlying conditions. As a result, unit prices were requested in this bid and it is recommended to award the contract with a 27% Unit Price Allowance (avg. of Phases 1-3) for expected unforeseen conditions based on the total bid amount. Evaluation of the bids included reviewing the competitiveness of the lump-sum pricing as well as each bidder’s individual unit prices.

EVALUATION

In response to the Authority's Request for Proposal (**Q15-5906JT**) advertised in the New York State *Contract Reporter* on May 28, 2015, fifty-eight (58) firms downloaded the bid document. On June 26, 2015, two proposals were received. Following clarifications with the bidders, the final bids included an L2 Concrete Allowance and Unit Price Allowances and are listed below:

| Bidder | City, State | Bid* | L2 Concrete Allowance | Unit Prices Allowance | Total |
|--------------------------------------------|------------------|----------------|-----------------------|-----------------------|----------------|
| Structural Preservation Systems, LLC (SPS) | Hawthorne, NJ | \$1,593,596.00 | \$240,660.00 | \$495,249.00 | \$2,329,505.00 |
| Specialty Construction Systems, Inc. (SCS) | Mount Vernon, NY | \$1,622,080.00 | \$168,000.00 | \$483,321.00 | \$2,273,401.00 |

Fair Cost Estimate (FCE) \$1,539,331.00 \$1,539,331.00

**Performance and Payment Bonds included in Prices*

A bid clarification meeting to review the approach to work, project logistics and schedule, and to review and confirm various technical and commercial aspects of their bid was held on July 8, 2015 with each of the two bidders and the Evaluation Committee consisting of representatives from Project Management, Procurement, Civil Engineering, Cost & Scheduling, Facilities and the Authority's Engineer of Record, Greenman-Pedersen, Inc. (GPI),.

Both bidders confirmed that they had a complete understanding of the scope-of-work, and their bids included all Unit Price Items requested and the required allowance for concrete repairs after the waterproofing membrane is removed.

Based on the interviews, bids submitted, Unit Pricing and experience, the Evaluation Committee deemed SPS as the most responsive and technically acceptable bidder. Both firms have previously worked with the Authority on past Garage Repair Projects and the quality and workmanship provided by SPS was found to be of better quality. SPS meets all the requirements of the bidding documents and presented the best phasing plan for the work, minimizing laydown areas and loss of parking spaces during execution of the work which is paramount to the Authority. In addition, SPS's Unit Price Items are more competitive, and based on the requested 27% Unit Price Allowances, SPS is the evaluated lowest bidder.

FISCAL INFORMATION

Payments associated with this project will be made from the Facilities Maintenance Fund budgeted for 2015 through 2020.

RECOMMENDATION

The Senior Vice President and Chief Engineer – Operations Support Services, the Vice President – Project Management, the Vice President – Engineering, the Vice President – Procurement, and the Facilities Manager – White Plains Office recommend that the Trustees approve the award of a five-year contract to Structural Preservation Systems, LLC of Hawthorne, NJ in the amount of \$2,329,505 for the White Plains Office Garage Centroplex Phase 4 Repairs.

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 and the Authority's Expenditure Authorization Procedures, approval is hereby granted to award a five-year contract to Structural Preservation Systems, LLC of Hawthorne, NJ in the amount of \$2,329,505 for the White Plains Office Garage Centroplex Phase 4 Repairs Project as recommended in the foregoing memorandum of the President and Chief Executive Officer.

| <u>Contractor</u> | <u>Contract Approval</u> |
|-------------------------------------------------------------------|---------------------------------|
| Structural Preservation Systems, LLC Hawthorne, NJ | 5 Years |
| (Q15-5906JT) | <u>\$2,329,505.00</u> |

AND BE IT FURTHER RESOLVED, That the 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.