

REQUEST FOR AGENDA ITEM
Legislative Request / BOM Request

Legislative Request BOM Request

Date 6-23-22
Department Engineering
Contact Person Garry Nathan

PURPOSE FOR REQUEST:

Adoption of Resolution: _____
Adoption of Local Law: _____
Adoption of Ordinance: _____
Budget Amendment: _____
Bond Approval: _____
Contract Authorization:
Other (Briefly Explain) Low bidder Prime Highway for \$898,785.00

Budget Amendment (State the following)
Increase Account/Line No. _____
Decrease Account /Line No. _____
Source of Funds _____

CONTRACT AUTHORIZATION

Purchase Equipment/Supplies: _____
Lease Equipment/Supplies: _____
Professional Services: _____
Education/Training: _____
Settlement of Claim: _____

Grants:
New _____
Renewal _____
Submission Dead Line _____

Fiscal Impact in Dollars or Percentage

Federal _____

State __\$730,243_____

City of Cohoes__\$168,542.00____

All back -up material has been submitted _____

Explanation: __There is about \$ 730,243 left in the NYDOT Culvert grant for construction.

This _____ leaves _____ a _____ local _____ share _____ of
\$168,542.00 _____

Use space or add typed attachment.

Submitted by: _____

date _____



June 22, 2022

Gary F. Nathan, P.E.
City Engineer
City of Cohoes, City Hall
97 Mohawk Street
Cohoes, New York 12047

RE: Analysis of Bids
PIN: 1761.17 OSC D#: LD036365
Improvement of James Street Culvert over Eagles Nest Creek
City of Cohoes, Albany County
C&S Project S02.004.001

Dear Mr. Nathan:

Attached, please find the Bid Analysis Package for the above-referenced project.

On Friday, June 17, 2022, three (3) bids for this project were received, opened, and read aloud by City of Cohoes (the City) staff. The bids were canvassed and the three (3) responsive bids are as follows:

<u>Rank</u>	<u>Bidder Name</u>	<u>Bid Amount</u>
1	Prime Highway Contractors, LLC	\$ 898,785.00
2	James H. Maloy, Inc.	\$ 1,063,000.00
3	CFI Contracting, Inc.	\$ 1,079,462.00

After a detailed review of the bids, C&S Engineers has determined that the low bid, submitted by Prime Highway Contractors, LLC, in the amount of \$ 898,785.00, is a valid bid, with all required forms and other supporting documents in good order.

In accordance with Section 14.4 of the NYS Procedures for Locally Administered, Federal-Aid Projects Manual, the enclosed package contains the following items:

1. Proof of Advertisement (NYS Contract Reporter).
2. Signed copy of Bid Tabulation and Analysis.
3. Copy of Signed Proposal of the Verified Low Bidder, including all required documentation, including a signed Bid Bond.
4. Documentation for proof of Contractor Qualification.

Bid Analysis Summary:

1. No bid tabulation errors were found in any of the bids submitted.
2. The above noted low bid submitted by Prime Highway Contractors, LLC is approximately 14% above the Engineer's Estimate of Construction Cost (EE), which was \$789,240.

3. The Bridge NY program (BNY) funding allocation included \$730,243 for the cost of construction. The above noted low bid is approximately 23% above that value.
4. Our review of the unit prices contained in the low bid submittal revealed several items with unit prices either 25% more than, or 25% below, the unit prices of the EE. There is no indication, however, that any such unit prices could be considered problematic, leading to either irregular payments to the Contractor during construction or that would be otherwise detrimental to the overall final construction cost.

For example, nearly all items with a unit price more than 25% higher than the EE are either "Lump Sum" or "Each" payment types, or are for items with measured payment quantities that have no reasonable chance of increasing above the contract payment quantity. An example of the latter is Item 602.2654 - Lining with Smooth Wall High Density Polyethylene Pipe. The \$1,695 per linear foot bid is approximately 3.5 times the EE unit price of \$480/LF. However, with the existing culvert pipe being 88' long, and the proposed new culvert barrel also being 88' long, there is no realistic scenario where the contract payment quantity, 176 LF, could be exceeded.

An observation relevant to the pipe lining item is that the unit price bid for the trenchless installation of the additional culvert barrel, \$2,100/LF, is only 50% of the EE value of \$4,200/LF. Therefore, in terms of the subtotal for the two items combined, the approximate bid amounts of \$298K and \$185K for the lining and new barrel, respectively, represents a construction cost subtotal of \$483K. That subtotal is only approximately 6% above the corresponding value from the EE, which is \$85K + \$370K = \$455K.

Regarding the Lump Sum and Each items, there is no indication that the bid values represent an attempt to unusually configure how the total construction cost is paid to the Contractor over the duration of the Contract. For example, for Clearing and Grubbing, an item that would likely need to be included in its entirety in the first progress payment made to the Contractor, the bid price of \$30,000 is twice the EE price of \$15,000. The dollar value difference of \$15,000 represents, however, only 1.7% of the total construction bid and so in no way appears to be an attempt to acquire an unjustifiably large percentage of the total construction cost at a very early stage of the Contract.

5. The letting took place as advertised.
6. All bidders properly acknowledged receipt of the two addenda that were issued during the advertisement period.

Our evaluation of bidder responsibility included searches of: the General Services Administration's List of Debarred, Suspended, or Voluntarily Excluded Firms Ineligible for Federal Aid; NYS Department of Labor's list of debarred firms; the Department of State's Corporation Database; and OSHA's violations database. Based on these sources, there is no indication that Prime Highway Contractors, LLC is not a responsible bidder.

Based on the review of the bids, which resulted in a finding of no problematic irregularities with the Apparent Low Bidder's unit costs that should preclude award, and disregarding the above noted difference between the construction cost totals of the BNY funding allocation and the low bid, C&S recommends that the award of the Contract to Prime Highway Contractors, LLC should be considered by the City.

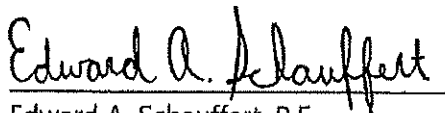
If approved by the City, actual award must be contingent upon Prime Highway Contractors, LLC meeting all contractual requirements, including, but not limited to, verification of W/MBE participation or an approved waiver of those requirements.

C&S Engineers will provide construction inspection services for this project. A copy of the preliminary Construction Management Plan was submitted as part of the PS&E package to the City and NYSDOT Region 1 prior to the advertisement period.

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

C&S ENGINEERS, INC.



Edward A. Schaffert, P.E.
Project Manager

Enc.

Lori Yando

From: Garry Nathan
Sent: Thursday, June 23, 2022 2:04 PM
To: Lori Yando; Mayor
Cc: Michael Durocher
Subject: BOM James Street Culvert
Attachments: 1761.17 James St Culvert BOM 6-23-22.pdf

Hi Lori can you please add this item to Friday's agenda ? This is to award to the low bidder (before there are any more pipe material increases).