



Delaware Engineering, D.P.C.

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AGENDA ITEM #4

November 16, 2021

Hon. Peter Barber, Supervisor
Town of Guilderland
PO Box 339
Guilderland, New York 12084

Subject: Water Treatment Plant – Improvement Project
Recommendation for Award

Dear Supervisor Barber:

On October 27, 2021 the Town of Guilderland opened sealed bids for the construction of the WTP Improvement Project at the Watervliet Reservoir water treatment plant. This project consists of a single general construction contract (Contract #1).

Based on the bid results received and a review of the bids conformance to the project specifications, Delaware Engineering recommends that the Town of Guilderland award Contract #1, with a value of \$644,993, to Trinity Construction. Inc. The details of this review are provided in the attached November 1, 2021 letter.

If you have any questions regarding the bid results, bidding process or any other project issues, please feel free to contact me at (518) 452-1290.

Sincerely,

Brock Juusola, P.E.
Senior Engineer / Partner

Encl. Letter dated November 1, 2021

cc: Timothy McIntyre, Town of Guilderland
John Brust, Delaware Engineering DPC



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November 1, 2021

Hon. Peter Barber, Supervisor
Town of Guilderland
P.O. Box 339
Guilderland, NY 12084

Subject: Water Treatment Plant - Improvement Project
Bid solicitation and Recommendation to Award

Dear Supervisor Barber:

On October 27, 2021 the Town of Guilderland opened sealed bids for the upcoming improvement project at the Watervliet Reservoir water treatment plant. Delaware Engineering (D.E.) representatives assisted the Town Clerk with this process. A total of six bids were received and the results have been tabulated in the attached spreadsheet.

Our work on this project includes preliminary design, final design, bid assistance, construction management and inspection, and then final closeout with accompanying as-builts drawings. Our work specifically includes the performance of due diligence with respect to the bids that have been received. The bid packages provided by the contractors contain various affirmative statements such as EEO, Non-Discrimination, and Sexual Harassment, bid bonds, Non-Collusion affidavits, business ownership information, as well as information relative to their qualifications for the subject project. A tabulation of this review for all of the submitted bids is also attached.

Our review of all this information typically results in a statement from D.E. to the Town Board that we have found the apparent low bid as responsive and qualified to perform. Unfortunately, in this case, we cannot recommend that the Town award the project to the apparent low bidder, Gallo Construction, Watervliet, NY.

The submitted Qualification Statement requests information regarding Claims and Suits:

- 3.2.1 Has your organization ever failed to complete any work awarded to it?
- 3.2.2 Are there any judgements, claims, arbitration proceeding or suits, pending or outstanding, against your organization or its officers?
- 3.2.3 Has your organization filed any law suits or requested arbitration with regard to construction contracts within the last five years?

Gallo Construction answered "NO" to each of these questions. We have been the Engineer-of-Record on two Gallo construction projects, one for the Town of Queensbury and the other for the Rensselaer County Sewer Board. In both instances, our experience with Gallo Construction was less than satisfactory. The Rensselaer County project, started in 2015, has yet to be completed despite undergoing a formal mediation process. After being contacted by D.E., neither owner would provide a positive recommendation for Gallo Construction. Gallo's omission of this project mediation and uncompleted work under questions 3.2.1, 3.2.2, and 3.2.3 is mis-leading and is a substantive factor for rejection of their bid.

It should also be noted that, of the 18 Completed or On-Going project references, a total of 8 projects referred to work performed for school districts. Seven others appeared to be private/public building construction projects. Only three projects appeared to be related to water utility work. Two of the project references provided by Gallo Construction failed to provide a satisfactory recommendation. In both cases, the owners complained of a lack of attention to schedule and repeated change order requests.


Based upon Gallo's responses to Question 3.2.1 – 3.2.3, the less than satisfactory reports from provided references, and the two project experiences of our staff, we recommend that the Town Board reject the bid of Gallo Construction and instead accept the bid of Trinity Construction as the lowest qualified responsive bidder.

The Trinity Construction qualifications package provides 12 water/wastewater project references. We have called these references and every one that we were able to speak with reports a positive experience. D.E. staff have also served as the Engineer-of-Record on two Trinity construction projects and both projects have been completed on schedule and within the project budget with minimal contractor-requested change orders.

It is imperative that the work to be completed under this construction contract be finalized prior to the upcoming summer season when the Town's water system can become severely strained. We cannot provide any reassurance that this schedule will be met if the subject project is awarded to Gallo Construction. We can provide a reasonable assurance with the next lowest bidder, Trinity Construction.

Please do not hesitate to call me if you have any questions or comments about this matter.

Sincerely,



John K. Brust
Principal

C: Town Board
Tim McIntyre

Town of Guilderland - WTP Improvements

Contract #1 - Bid Form

BID ITEM		QUANTITY	UNITS	Gallo Construction Corp		Trinity Construction Inc		Anjo Construction LTD		Eastman Associates, Inc		Jersen Construction Group, LLC		Rozell East Inc.	
GENERAL				Unit / Item Bid Price	Unit / Item Bid Price	Unit / Item Bid Price	Unit / Item Bid Price	Unit / Item Bid Price	Unit / Item Bid Price	Unit / Item Bid Price	Unit / Item Bid Price				
G. 1	Mobilization and General Construction	1	LS	\$ 40,971.00	\$ 18,193.00	\$ 19,000.00	\$ 24,000.00	\$ 15,000.00	\$ 20,000.00						
G. 2	General Sediment and Erosion Control	1	LS	\$ 10,057.00	\$ 500.00	\$ 25,000.00	\$ 1,500.00	\$ 2,550.00	\$ 4,000.00						
G. 3	Buried Utility Locating	1	LS	\$ 4,541.00	\$ 2,000.00	\$ 12,000.00	\$ 4,500.00	\$ 72,000.00	\$ 7,000.00						
G. 4	Exploratory Excavations	2	EA	\$ 1,746.00	\$ 1,000.00	\$ 4,000.00	\$ 2,000.00	\$ 1,700.00	\$ 3,500.00						
G. 5	14" & 16" Ductile Iron Backwash Line	1	LS	\$ 115,608.00	\$ 152,000.00	\$ 144,800.00	\$ 223,000.00	\$ 140,380.00	\$ 330,000.00						
G. 6	Site Paving	1	LS	\$ 3,784.00	\$ 5,000.00	\$ 26,000.00	\$ 21,000.00	\$ 5,820.00	\$ 15,000.00						
G. 7	Flocculator Upgrades	1	LS	\$ 411,492.00	\$ 432,300.00	\$ 410,000.00	\$ 422,000.00	\$ 473,300.00	\$ 481,000.00						
G. 8	Final Restoration	1	LS	\$ 2,909.00	\$ 3,000.00	\$ 20,000.00	\$ 8,000.00	\$ 2,900.00	\$ 5,500.00						
	Allowance for Owner Requested Modifications	1	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00						
CONTRACT #1 BASE BID TOTAL COST (write out both in words and figures)				\$ 622,854.00	\$ 644,993.00	\$ 694,800.00	\$ 738,000.00	\$ 745,350.00	\$ 899,500.00						