

22-28-06

RESOLUTION TO AWARD HAWKINSVILLE DAM MATERIAL AND QUALITY CONTROL TESTING WORK TO CME ASSOCIATES, INC (CONTRACT D022022)

WHEREAS, Kleinschmidt Associates has completed the Hawkinsville Dam Remediation Final Design in February 2022; and

WHEREAS, pursuant to resolution 22-25-05 the Regulating District Board authorized a contract through which Environmental Service Group (NY), Inc. will perform the remediation; and

WHEREAS, the Regulating District requires the services of a material and quality control testing firm during the Hawkinsville Dam Remediation to confirm the construction contractor's compliance with the construction contract documents; and

WHEREAS, staff recommends the Board award a contract through the Regulating District's discretionary authority pursuant to State Finance Law section 163(6), which authorizes purchases without a formal competitive process in certain circumstances, including; purchases from New York State small businesses and from businesses certified pursuant to Article 15-A of the New York State Executive law; and

WHEREAS, to satisfy this procurement staff solicited proposals from Article 15-A certified businesses who provide material testing services; and

WHEREAS, staff solicited proposals from four state-certified M/WBE firms; and

WHEREAS, two of those firms indicated that they do not provide the full suite of services required and declined to propose and a third firm declined to submit a proposal citing the remote location from the firm's corporate office; and

WHEREAS, one firm submitted a proposal on June 2, 2022; and

WHEREAS, the following table summarizes the proposal received.

Hawkinsville Dam Remediation Material and Quality Control Testing Bid Tabulation

Bidder Name	Bid Amount (\$)
CME Associates, Inc.	29,908,94

WHEREAS, engineering staff reviewed the proposal for compliance with the RFP Documents and made a determination of apparent low bidder according to the RFP; and

WHEREAS, engineering staff has identified CME Associates, Inc. ("CME") as the lowest bidder and has reviewed CME's evidence of experience completing similar material testing projects, and confirmed that CME has the experience necessary to responsibly and reliably complete the work; and

WHEREAS, engineering staff recommend the Board conditionally award the work to CME Associates, Inc. and seeks Board acceptance of the recommendation and authorization to form a contract

to complete the work, and authorization for the Executive Director to execute an agreement in the amount of \$29,908.94.

NOW THEREFORE BE IT RESOLVED THAT, the Board of the Hudson River – Black River Regulating District conditionally awards concrete and material testing work at Hawkinsville Dam to CME Associates, Inc. and authorizes the Executive Director to form a contract to complete the work for an amount not-to-exceed \$29,908.94

BE IT FURTHER RESOLVED that the agreement is subject to the review and approval of the NYS Attorney General.

Approved as to form:


Robert P. Leslie
General Counsel

Motion was made by Mr. Reagan and seconded by Mr. DeWitt that the Resolution be approved.

Present and Voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. DeWitt.....	<u> X </u>	_____	_____
Mr. Bird.....	<u> X </u>	_____	_____
Mr. Candido	<u> X </u>	_____	_____
Mr. Reagan.....	<u> X </u>	_____	_____
Ms. Allen.....	<u> X </u>	_____	_____