

23-38-08

**RESOLUTION TO AWARD INDIAN LAKE DAM REHABILITATION
CONSTRUCTION WORK TO C.D. PERRY LLC (CONTRACT D012023)**

WHEREAS, with a primary goal to bring the Indian Lake Dam into compliance with the NYSDEC Regulations as a Class C (high hazard) structure, in August 2013, the Regulating District solicited qualified firms to perform an Engineering Assessment and recommend remedial measures for the Indian Lake Dam; and

WHEREAS, the engineering assessment was to include: completion of a records review; on-site engineering inspection and investigation; engineering review; calculations; dam breach analysis; report generation; recommendation of remedial measures/options if necessary; and the presentation of an engineer's estimated cost of recommended remedial measures; and

WHEREAS, on July 8, 2014, the Regulating District entered into an agreement (C032013) with Bergmann Associates ("Bergmann") to perform the engineering assessment; and

WHEREAS, following a series of submittals to, and review by, the Department of Environmental Conservation, the Board authorized Bergmann to complete a remediation final study and design work; and

WHEREAS, Bergmann Associates completed the Indian Lake Dam Remediation Final Design in June 2023; and

WHEREAS, staff placed a public notice advertising the work to perform the remediation in the State Contract Reporter on June 12, 2023; and

WHEREAS, seven contractors participated in the mandatory pre-bid meetings and thus became eligible to submit a bid to perform the remediation; and

WHEREAS, one firm submitted a bid with staff publically opening those two bids at the 11:00 AM July 24, 2023 deadline; and

WHEREAS, the following table summarizes the bids received.

Indian Lake Dam Remediation Bid Tabulation

Bidder Name	Bid Amount (\$)
C.D. Perry, LLC	\$10,834,860.17

WHEREAS, engineering staff reviewed the bids for compliance with the Bid Documents, made a determination of apparent low bidder according to Section I-27 of the Information for Bidders; and

WHEREAS, engineering staff has identified the C.D. Perry, LLC ("C.D. Perry") as the lowest bidder and has reviewed C.D. Perry's evidence of experience completing similar construction, and confirmed that C.D. Perry has the experience necessary to responsibly and reliably complete the work; and


Approved at the August 1, 2023 Board Meeting

WHEREAS, engineering staff recommend the Board conditionally award the work to C.D. Perry, LLC 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 \$10,834,860.17.

NOW THEREFORE BE IT RESOLVED THAT, the Board of the Hudson River – Black River Regulating District conditionally awards remediation work at the Indian Lake Dam to C.D. Perry, LLC and authorizes the Executive Director to form a contract to complete the work for an amount not-to-exceed \$10,834,860.17.

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

Approved as to form:



Robert P. Leslie
General Counsel

Motion was made by Mr. Candido and seconded by Mr. Hayes 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. DeWitt.....	<u> X </u>	_____	_____
Mr. Candido	<u> X </u>	_____	_____
Mr. Hayes.....	<u> X </u>	_____	_____
Mr. Bird.....	<u> X </u>	_____	_____
Mr. Reagan.....	<u> X </u>	_____	_____
Ms. Allen.....	<u> X </u>	_____	_____