

## PHELPS ENGINEERING, INC.

79 Court Street, P.O. Box 367  
Middlebury, VT 05753  
www.phelpseng.com

99003.40

September 8, 2010

Selectboard  
Town of Waitsfield  
9 Bridge Street  
Waitsfield, VT 05673

Subject: Waitsfield Municipal Water Project  
Contract No. 5 Recommendation of Award

Dear Board Members:

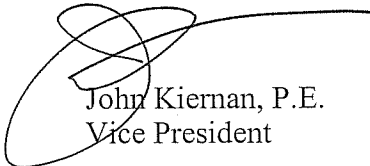
We have reviewed the bids for the referenced project. Attached is a summary of our bid review which includes the following items:

- Bid Review Worksheet (including the following attachments)
  - Copies of Bids,
  - Bid Tabulation,
  - Project Cost Summary,
  - Contractor References,
  - DBE Unavailability Schedule (Schedule B);
- Certificate as to easements and rights-of-way;
- Proof of advertisement for bid; and
- Notice of Award (seven copies).

Based on the bids received and response from references, Phelps Engineering, Inc. recommends the Town of Waitsfield enter into an agreement with NECCO, Inc. to perform the Contract No. 5 – Well House project for a total bid price of \$276,708.

If the Selectboard agrees with this recommendation and the funding agencies concur, please issue the attached Notice of Award. A contract signing could be arranged for the week of September 20 to accommodate an expedited construction start.

Sincerely,



John Kiernan, P.E.  
Vice President

JK:kb

Enclosure

c: Jim Plouffe (excluding copies of non-winning bids)  
Roger Bergeron (excluding copies of non-winning bids)

**PHELPS ENGINEERING, INC. • MIDDLEBURY, VERMONT**

**TOWN OF WAITSFIELD MUNICIPAL WATER PROJECT  
CONTRACT NO. 5 – WELLHOUSE  
BID REVIEW WORKSHEET FOR SEPTEMBER 2, 2010 BID OPENING**

Bid Packages

- Three bids were received; the bid from Markowski Excavating was determined to be materially incomplete and was rejected at the bid opening due to an omission for the DBE requirement.
- NECCO, Inc. is the apparent low bidder with a bid price of \$276,708.
- Kingsbury Companies, LLC was the second lowest bid at \$280,640.

Bid Tabulation and Project Cost Summary

- The Bid Tabulation is attached.
- A revised Project Cost Summary updated with the low bid is attached.

Contractor Experience / References

- A bidder qualification statement was provided (included in the bid package).
- Attached is a reference provided by Jason Booth, Project Manager at Forcier, Aldrich & Associates, for a \$108,000 aeration upgrade for Enosburg Falls.
- Attached is a reference provided by Roger Audet, System Operator at Hyde Park Fire District No. 1, for a \$379,000 Water System Expansion project.
- Attached is a reference provided by Alan Robtoy, Director of Public Works at the City of Saint Albans for a \$2M Wastewater Treatment Facility Improvements project.

*Notable Items from References:*

- NECCO, Inc. is typically the General Contractor and provides good project management and oversight.
- Schedules were difficult to obtain in a timely manner, but projects were completed on time.

Bid Bond and Financial Information

- A Bid Bond for 5% of the actual base bid was provided by Fidelity & Deposit Company of Maryland (within bid package).
- The bonding agency is listed on the “Department of the Treasury Listing of Certified Surety Companies” (NAIC#39306).

# PHELPS ENGINEERING, INC. • MIDDLEBURY, VERMONT

Town of Waitsfield Municipal Water Project

Contract No. 5 – Wellhouse

Bid Review Worksheet for September 2, 2010 Bid Opening

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## Bid Informalities

- Due to a materially incomplete bid package, the Markowski Excavating bid was rejected at the bid opening.

## Phelps Engineering, Inc. Bid Review Comments

- NECCO, Inc. is the lowest responsive bidder.
- NECCO, Inc.'s bid package is complete and found to be without bid informalities.
- NECCO, Inc. submitted a satisfactory DBE Unavailability Schedule (Schedule B) within five days of the bid opening.
- References for NECCO, Inc. were satisfactory.
- Project change orders will likely require additional scrutiny and oversight.
- We recommend the Town of Waitsfield award Contract No. 5 to NECCO, Inc. for \$276,708.

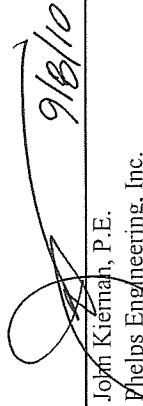
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**PHELPS ENGINEERING, INC. • MIDDLEBURY, VERMONT**

<b>TOWN OF WAITSFIELD                      COMMUNITY WATER SYSTEM - CONTRACT NO. 5                      BID TABULATION</b>											
<b>BID OPENING: SEPTEMBER 2, 2010                      TIME: 12:00 P.M.                      LOCATION: UNITED METHODIST CHURCH</b>											
Item No.	Item Description	Estimated Quantity	Unit	ENGINEER'S ESTIMATE		NECCO 6971 Main Street Waitsfield, VT 05673		Kingsbury Companies LLC 264 Madriver Park Waitsfield, VT 05673			
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount		
1	6-inch Diameter Water Main	110	LF	\$ 75.00	\$ 8,250.00	\$ 97.00	\$ 10,670.00	\$ 31.00	\$ 3,410.00		
2	PVC Conduit	110	LF	\$ 30.00	\$ 3,300.00	\$ 29.00	\$ 3,190.00	\$ 13.00	\$ 1,430.00		
3	PVC Storm Drain	100	LF	\$ 30.00	\$ 3,000.00	\$ 54.00	\$ 5,400.00	\$ 36.00	\$ 3,600.00		
4	Gravel Road and Parking	420	SY	\$ 25.00	\$ 10,500.00	\$ 23.00	\$ 9,660.00	\$ 35.00	\$ 14,700.00		
5	Excavation Below Grade and Crushed Gravel Refill	25	CY*	\$ 25.00	\$ 625.00	\$ 23.00	\$ 575.00	\$ 20.00	\$ 500.00		
6	Miscellaneous Crushed Stone	25	CY*	\$ 25.00	\$ 625.00	\$ 28.00	\$ 700.00	\$ 20.00	\$ 500.00		
7	Rock Excavation	25	CY*	\$ 25.00	\$ 625.00	\$ 173.00	\$ 4,325.00	\$ 30.00	\$ 750.00		
8	Miscellaneous Excavation	25	CY*	\$ 25.00	\$ 625.00	\$ 25.00	\$ 625.00	\$ 10.00	\$ 250.00		
9	Well Building	1	LS	\$ 85,000.00	\$ 85,000.00	\$ 201,102.00	\$ 201,102.00	\$ 205,000.00	\$ 205,000.00		
10	Miscellaneous Work	1	LS	\$ 16,566.00	\$ 16,566.00	\$ 14,961.00	\$ 14,961.00	\$ 25,000.00	\$ 25,000.00		
11	Electric Service Allowance	1	LS	\$ 23,500.00	\$ 23,500.00	\$ 23,500.00	\$ 23,500.00	\$ 23,500.00	\$ 23,500.00		
12	Propane Service Allowance	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00		
<b>TOTAL BASE BID</b>				<b>\$</b>	<b>\$ 154,616.00</b>	<b>\$</b>	<b>\$ 276,708.00</b>	<b>\$</b>	<b>\$ 280,640.00</b>		

\*Indeterminate quantity used for comparison of bids.

I certify, to the best of my knowledge, the information tabulated above accurately reflects bids received and accepted by the Town of Waitsfield, Vermont on September 2, 2010, 12:00 p.m.

  
 John Kiernan, P.E.  
 Phelps Engineering, Inc.

Note: The bid submitted by Markowski Excavating was disqualified because the bidder failed to acknowledge contact with all Disadvantaged Business Enterprises provided in Addendum No. 1.

# PHELPS ENGINEERING, INC. • MIDDLEBURY, VERMONT

Town of Waitsfield Water Project Project Cost Summary and Budget Status September 8, 2010						
DESCRIPTION	BOND VOTE ESTIMATE	SPENT TO DATE	ESTIMATE TO COMPLETE	TOTAL	Projected (Overrun) Underrun	NOTES
<b>A. CONSTRUCTION</b>						
CONTRACT NO. 1 - DISTRIBUTION SYSTEM	\$1,740,123		\$1,440,472	\$1,440,472	299,651	Bid price from J.P. Sicard
CONTRACT NO. 2 - TRANSMISSION MAIN TO TANK	1,556,348		1,178,560	1,178,560	377,788	Bid price from Munson Earth Moving
CONTRACT NO. 3 - STORAGE TANK	750,400		640,420	640,420	109,980	Bid price from Natgun Corp.
CONTRACT NO. 4 - TRANSMISSION MAIN TO WELL	722,512		397,973	397,973	324,540	Bid price from Kingsbury Companies
CONTRACT NO. 5 - WELL HOUSE	158,000		276,708	276,708	(118,708)	Bid price from NECCO
CONTRACT NO. 6 - METERS AND APPURTENANCES	92,000		100,000	100,000	(8,000)	Assumes an escalation in equipment pricing by 2011
CONTRACT NO. 7 - ABANDON EXISTING WELLS	142,800		0	0	142,800	Not project eligible - removed from scope
SMALL PURCHASES	44,500		44,500	44,500	0	
<b>SUBTOTAL</b>	<b>\$5,206,683</b>		<b>\$4,078,633</b>	<b>\$4,078,633</b>	<b>\$1,128,051</b>	
CONSTRUCTION CONTINGENCY (10% FOR BOND VOTE, 5% EST TO COMPLETE)	\$520,668		\$203,932	\$203,932	316,737	
<b>TOTAL CONSTRUCTION COST:</b>	<b>\$5,727,352</b>		<b>\$4,282,564</b>	<b>\$4,282,564</b>	<b>\$1,444,787</b>	
<b>B. TECHNICAL SERVICES</b>						
PRELIMINARY ENGINEERING STUDY/SOURCE EXP	\$220,000	\$220,000	\$0	\$220,000	\$0	Costs incurred prior to bond vote
SOURCE DEVELOPMENT (WELL DRILLING/TESTING)	120,000	120,000	0	120,000	0	Costs incurred prior to bond vote
DESIGN AND PERMITTING SERVICES	436,800	514,000	17,506	531,506	(94,706)	Through Amendment No. 5
TESTING SERVICES (PAID BY TOWN)	0	0	29,500	29,500	(29,500)	
VTRANS INSPECTION AGREEMENT	10,000		5,000	5,000	5,000	Based on verbal quote by VTrans District representative
BID AND CONSTRUCTION PHASE SERVICES	725,000		650,268	650,268	74,732	Based on existing contract amount
C. LEGAL AND ADMINISTRATIVE						
LEGAL	93,400	109,000	75,000	184,000	(90,600)	Projection based on Act 250 appeal, condemnation appeals
ADMIN	28,600	8,000	15,000	23,000	5,600	Cost incurred based on surveys and appraisals of Reed Rd.
MUNICIPAL PROJECT MANAGER	50,000	4,500	80,000	84,500	(34,500)	Projection based on 20 hr/week for 18 months at \$55/hr;
D. SHORT-TERM INTEREST						
E. TECH SERVICES/LEGAL/ADMIN CONTINGENCY (5%)	50,000	10,000	48,000	58,000	(8,000)	Projection based on cash flow worksheet; may be offset by bond anticipation borrowing
E. LAND ACQUISITION	45,350	60,000	0	60,000	45,350	
<b>TOTAL - OTHER PROJECT COSTS:</b>	<b>\$1,864,150</b>	<b>\$1,045,500</b>	<b>\$920,274</b>	<b>\$1,965,774</b>	<b>(\$101,624)</b>	
<b>TOTAL PROJECT COST</b>	<b>\$7,591,502</b>	<b>\$1,045,500</b>	<b>\$5,202,838</b>	<b>\$6,248,338</b>		
<b>PROJECT CONTINGENCY (ABOVE ALLOWANCE FOR CONSTRUCTION CHANGE ORDERS)</b>					<b>\$1,343,163</b>	

CONTRACTOR REFERENCE

Project: Waitsfield Water - Contract No. 5 Project No. 99003.40  
Contractor: NECCO Contract No. 5  
Contacted by: Brandon Streicher Date: 9/2/10

**A. Project Reference**

Name of Project: Enosburg Falls Aeration Upgrade

Total Contract Price:

Completion Date: 2009

**B. Contact**

Name: Jason Booth

Position: Project Manager

Company: Forcier Aldrich & Assoc.

Telephone: (802) 879-7733

**C. Project Management**

1. Who was the superintendent? Scott White

2. How did this person affect the quality/outcome of the project? Necco provided good General Contractor oversight & management.

3. Please give an overall statement of the project management on this job.

See item # 2 above.

4. How well did the contractor maintain records?

Good record keeping

5. Was the contractor responsive to engineer, municipality, state, and federal concerns?

Yes, except in providing an updated schedule

**D. Scheduling**

1. Was the contractor able to submit and follow acceptable schedules?

A struggle to get updated schedules.

2. Was the project completed on schedule?

Yes

3. If not, why?

N/A

4. How much later was the completion date of the project?

N/A

5. Were there any liquidated damages?

NO

6. If so, what was the sum of liquidated damages?

N/A

**E. Change Orders**

1. How many change orders were there?

1

2. How much cost was added by change orders?

A couple hundred dollars

3. Who was responsible for change orders?

Owner requested additional work (justified).

4. Were there any cost overruns?

No

5. How did this affect the final cost of the project?

No affect

**F. Recommendation**

1. Would you use this contractor again, and why?

Yes, the oversight was good and high quality work provided.

2. Would you recommend the contractor for this project?

Yes

**G. Working Relationship**

1. Was the contractor fair to work with and get along with?

Yes

2. Who made this relationship work/not work?

Entire team worked well together

**H. Project Operations**

1. How well did the contractor maintain weekly construction cleanup?

Excellent

2. Did the contractor conduct work in a workmanlike manner?

Yes

3. Did the contractor encourage and maintain a safe work environment?

Yes

4. Comment on the quality of the work throughout the project and the final product.

Very high quality work.

**I. Comments**

1. Is there anything else that you would like to say about the contractor?

Most of the work was subcontracted, but Necco provided excellent G.C. oversight & management.

CONTRACTOR REFERENCE

Project: WAITSFIELD WATER - Contract 5

Project No. 99003.40 <sup>Bid Phase C6</sup>

Contractor: NECCO

Contract No. C5

Contacted by: Robert M. Clark

Date: 9/2/10

**A. Project Reference**

Name of Project: WATER SYSTEM EXPANSION

Total Contract Price: \$ 379,600

Completion Date: 2007 - 2008

**B. Contact**

Name: Roger Adet

Position: Water System Operator

Company: Hyde Park FD # I  
(Moorsville, VT)

Telephone: 802.253.8516

**C. Project Management**

1. Who was the superintendent? DUPRESNE & HENRY - Gordon Lewis  
NECCO - PICKARD Combined

2. How did this person affect the quality/outcome of the project? changed Super to

3. Please give an overall statement of the project management on this job. Well run, but lagged on making decisions led to some increases (2-3 weeks w/out decision)

4. How well did the contractor maintain records? Fairly well

5. Was the contractor responsive to engineer, municipality, state, and federal concerns? Yes.

**D. Scheduling**

1. Was the contractor able to submit and follow acceptable schedules? Yes

2. Was the project completed on schedule? Not entirely - only one major delay.

3. If not, why?

4. How much later was the completion date of the project?

5. Were there any liquidated damages? No

6. If so, what was the sum of liquidated damages? No



CONTRACTOR REFERENCE

Project: Waitsfield Water - C5

Project No. 99003.40

Contractor: MECCO

Contract No. 5

Contacted by: Brandon Streicher

Date: 9/3/10

**A. Project Reference**

Name of Project: City of St. Albans WWTF upgrade

Total Contract Price: \$ > 4 million in upgrades (2 phases) Completion Date: In final completion

**B. Contact**

Name: Alan Robtoy

Position: Director of Public Works

Company: City of St. Albans, VT

Telephone: (802) 524-1500 (Ext. 267)

**C. Project Management**

1. Who was the superintendent? Unsure, Coordinated mainly through Forcier & Aldrich (Engineer).

2. How did this person affect the quality/outcome of the project?

Project was executed very well.

3. Please give an overall statement of the project management on this job.

Necco & Forcier and Aldrich work well together for a great project.

4. How well did the contractor maintain records?

Unsure, but believes they were well organized. SRF funding & Davis Bacon to deal with and no problems managing.

5. Was the contractor responsive to engineer, municipality, state, and federal concerns?

Yes, very accommodating.

**D. Scheduling**

1. Was the contractor able to submit and follow acceptable schedules? Yes

2. Was the project completed on schedule?

Yes, ahead of schedule.

3. If not, why?

N/A

4. How much later was the completion date of the project?

N/A

5. Were there any liquidated damages? No

6. If so, what was the sum of liquidated damages?

N/A

**E. Change Orders**

1. How many change orders were there? *A few, but mainly for additional requested work due to left over project funds. The project*
2. How much cost was added by change orders? *came in under the Engineer's Estimate*  
*Unsure, but request for add'l work.*
3. Who was responsible for change orders?  
*City requested additional work.*
4. Were there any cost overruns?  
*No*
5. How did this affect the final cost of the project?  
*Under budget*

**F. Recommendation**

1. Would you use this contractor again, and why?  
*Yes, very fair and dependable.*
2. Would you recommend the contractor for this project?  
*Yes*

**G. Working Relationship**

1. Was the contractor fair to work with and get along with?  
*Yes, very fair & dependable*
2. Who made this relationship work/not work?  
*Necco & F&A*

**H. Project Operations**

1. How well did the contractor maintain weekly construction cleanup? *Nice job of*  
*site clean-up.*
2. Did the contractor conduct work in a workmanlike manner?  
*Yes*
3. Did the contractor encourage and maintain a safe work environment?  
*Yes, no issues.*
4. Comment on the quality of the work throughout the project and the final product.  
*Very good work.*

**I. Comments**

1. Is there anything else that you would like to say about the contractor?  
*Necco did most of the work with a few subcontractors. Necco managed the project work very well. Very happy with project.*  
*Nothing negative to say about Necco.*

# Notice of Award

Date: September 9, 2010

Project: Town of Waitsfield Community Water System	
Owner: Town of Waitsfield	Owner's Contract No.:
Contract: Contract No. 5 - Wellhouse	Engineer's Project No.: 99003.30
Bidder: NECCO, Inc.	
Bidder's Address: P.O. Box 418	
Waitsfield, VT 05673	

You are notified that your Bid dated **September 2, 2010** for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for the **Wellhouse**.

The Contract Price of your Contract is **two hundred seventy-six thousand seven hundred eight** Dollars (**\$276,708**).

**Zero** copies of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

**Seven** sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within [15] days of the date you receive this Notice of Award.

1. Deliver to the Owner **seven** fully executed counterparts of the Contract Documents. **It is intended that seven Contract Document sets will be signed and distributed at the Contract Signing and Preconstruction Meeting.**
2. Deliver with the executed Contract Documents the Contract security [Bonds] as specified in the Instructions to Bidders (Article 20), General Conditions (Paragraph 5.01), and Supplementary Conditions (Paragraph SC-5.01).
3. Other conditions precedent:

**In order to have the Contract Signing and Preconstruction meeting by September 21, 2010, the following information is required:**

Documents	Submit to	Submitted by
Payment and Performance Bonds	Engineer	September 17, 2010
Insurance Certificates	Engineer	September 17, 2010
Construction Progress Schedule	Engineer	September 17, 2010
Schedule of Values	Engineer	September 17, 2010

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

\_\_\_\_\_  
Town of Waitsfield  
Owner  
By: \_\_\_\_\_  
Authorized Signature  
\_\_\_\_\_  
Title

Copy to Engineer

EJCDC C-510 Notice of Award

Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Construction Specifications Institute.

Page 1 of 2

Contract Documents for Town of Waitsfield Community Water System  
Contract No. 5 - Wellhouse

August 2010