



**CITY OF NEWARK
DELAWARE**

January 25, 2022

To: Honorable Mayor and Council

From: Tim Filasky, P.E. Director of Public Works and Water Resources *TF*
Jeff Martindale, Chief Purchasing and Personnel Officer *JM*
David Del Grande, Finance Director *DD*

Via: Tom Coleman, City Manager *DMH/TC*

Subject: Recommendation to Amend Budget and Award Contract 21-13 – Abbotsford Stormwater BMP Retrofit (Capital Project Q0101) and Budget Amendment to the 2022-2026 Capital Improvement Program

Background

As part of our National Pollutant Discharge Elimination System – Municipal Separate Storm Sewer System (NPDES-MS4), we are required to improve the quality of the stormwater entering the creeks and streams in Newark municipal boundaries. Although they met code at the time, many stormwater management facilities in Newark were built to address flooding and drainage concerns, offering only minor improvements in water quality. Part of the City of Newark strategy for addressing these deficiencies is to retrofit these existing stormwater facilities to add Water Quality Best Management Practices (BMPs).

Purpose

Contract 21-13 includes the installation of a submerged gravel wetland area, storm inlet improvements, and outlet channel improvements. Together with extensive native landscape plantings, these improvements will increase the quality of the water by removing pollutants and reducing erosion, as well as improving wildlife habitat and food sources.

Bid Process

The Purchasing Division advertised Contract 21-13 in The News Journal, posted the contract on the City website (www.newarkde.gov/bids), and delivered contract documents via email to several contractors. Nine (9) Contractors were present at the mandatory pre-bid meeting held on December 7, 2021. On Tuesday, January 18, 2022, the Purchasing Division received six (6) sealed bids via email, mail, or hand delivery. These bids were opened shortly after the 2:00 p.m. deadline. The bidders were as follows:

Rank	Contractor Name	Total Bid
1	Environmental Quality Resources, Inc.	\$237,300.00
2	Merit Construction Engineers, Inc.	\$326,500.00
3	Lindstrom Excavating Contractors, Inc.	\$365,000.00

4	Reybold Construction Group, LLC	\$456,000.00
5	Mumford & Miller Concrete, Inc.	\$446,000.00
6	Gessler Construction Company, Inc.	\$489,900.00

Contractor Experience

The lowest responsible bidder, Environmental Quality Resources, Inc., has completed numerous projects of similar scope. Staff has contacted several of their provided references and each provided positive feedback on their responsiveness, professionalism, and quality of work. Our engineering consultant, JMT, has also worked with them on several projects and provided a positive recommendation. Due to their resources, reputation, and past projects, we are confident they will be able to complete the scope of work satisfactorily and within the budget.

Funding

Funding for this project is provided from the following source:

Capital Project Number:	Q0101
Project Title:	Stormwater Quality Improvements
Funding after Budget Amendment described below	\$266,628.00

The Q0101 Capital Improvement Project (CIP) Sheet has been amended to reflect the award of a \$25,000 grant from the Community Environmental Protection Fund (CEPF).

Related Documents (Attached)

1. Contract 21-013 Bid Tabulation
2. Q0101 Stormwater Quality Improvements 2022-2026

Recommendation

I move that Council award Contract No. 21-13 to the lowest responsible bidder, Environmental Quality Resources, Inc., in the amount of \$237,300.00 and approve the \$25,000 budget adjustment to the 2022-2026 Capital Improvement Project as presented.



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CONTRACT 21-13:

STORMWATER MANAGEMENT RETROFIT ABBOTSFORD BMP

UNOFFICIAL BID RESULTS

Bidder	Bid Items	Bid Price	Completion Timeline
Lindstrom Excavating Contractors, Inc.	Item #1: Stormwater BMP Improvments Item #2: Stormwater BMP Landscaping	\$320,000.00 <u>\$45,000.00</u> \$365,000.00	Not given on proposal
Gessler Construction Company, Inc.	Item #1: Stormwater BMP Improvments Item #2: Stormwater BMP Landscaping	\$474,900.00 <u>\$15,000.00</u> \$489,900.00	120 days
Environmental Quality Resources, Inc.	Item #1: Stormwater BMP Improvments Item #2: Stormwater BMP Landscaping	\$214,364.60 <u>\$22,935.40</u> \$237,300.00	Not given on proposal
Merit Construction Engineers, Inc.	Item #1: Stormwater BMP Improvments Item #2: Stormwater BMP Landscaping	\$299,460.00 <u>\$27,040.00</u> \$326,500.00	120 days
Mumford & Miller Concrete, Inc.	Item #1: Stormwater BMP Improvments Item #2: Stormwater BMP Landscaping	\$394,600.00 <u>\$52,000.00</u> \$446,600.00	By 7/25/22
Reybold Construction Group, LLC	Item #1: Stormwater BMP Improvments Item #2: Stormwater BMP Landscaping	\$443,000.00 <u>\$13,000.00</u> \$456,000.00	120 days



PROJECT NO: Q0101
PROJECT TITLE: Stormwater Quality Improvements (NPDES Phase II Permit)
PROJECT STATUS: Reoccurring (with no end date)

FUNDING SUMMARY:

*Prior Authorized Balance includes 2021 carryover funding only.

	2022	2023	2024	2025	2026	Total 5 Year
New Funding:	\$ 100,000	\$ 75,000	\$ 85,000	\$ 100,000	\$ 100,000	\$ 460,000
*Prior Authorized Balance:	\$ 166,628	\$ -	\$ -	\$ -	\$ -	\$ 166,628
2022-2026 Funding:	\$ 266,628	\$ 75,000	\$ 85,000	\$ 100,000	\$ 100,000	\$ 626,628

CAPITAL BUDGET - PROJECT DETAIL	
DEPARTMENT:	PWWR
DIVISION:	Stormwater
FUND:	Stormwater
PROJECT LOCATION:	Various
PROJECT PRIORITY:	1 - Highest Priority Level Project underway and must be completed
COMPREHENSIVE DEVELOPMENT PLANNING VISION ELEMENT:	Sustainable Community

§ 806.1(3) SUMMARY OF PROJECT DATA	
First Year in Program:	2009
Est. Completion Date:	Perpetual
Est. Useful Life (in years):	20
Est. Total Cost:	\$ 626,628
Est. Spend @ 12/31/2021 (if underway) ¹ :	\$ -
% Complete (if underway):	0.0%
Balance to be funded ¹ :	\$ 626,628

¹ For ongoing projects, we must estimate total spent since inception through current year to derive the balance to be funded thereafter.

PROJECT COST BY CATEGORY		
CLASSIFICATION	ACCOUNT NUMBER	AMOUNT
Labor:		\$ -
Materials:		\$ -
Other Contracts:	5595506.9720	\$ 626,628
TOTAL PROJECT COST		\$ 626,628

² Council is not required to authorize budget year funding for this portion, but this portion of the project will indeed represent a cash outflow in the budget year and/or "out years."

Charter § 806.1(2) DESCRIPTION & JUSTIFICATION:
Per the 1999 NPDES Phase II Stormwater Quality Regulations, the City of Newark is required to meet approved standards to improve stormwater quality.
We received a surface water planning grant in 2014, part of which paid for a report to identify and rank water quality Best Management Practices (BMP) retrofits in stormwater basins around the City.
Depending on the type of facility constructed, ongoing maintenance will be required including mowing, invasive weed removal, inspections, etc. We have assumed \$1,000 per year per facility in maintenance costs.
2021 Update: Plans and specifications for Abbottsford are complete, but construction is not likely to be completed in 2021. \$25,000 in Grant funding was received from the Community Environmental Project Fund and added to this project in 2021 for the Abbottsford Stormwater Quality Retrofit.
February 2022 Update: The grant award in 2021 has been applied to the 2022 funding. Estimated Expenditures in 2021 were not expended and have been carried over to 2022. Total funds to be spent in 2022 are \$266,628.

PROJECT FINANCING BY PLAN YEAR										
§ 806.1(3) SOURCE OF FUNDS:	Prior Authorized ²	Actual Funds Utilized as of 03/31/21	Estimated Expenditures 04/01/21 - 12/31/21	Estimated Authorized Balance ² 12/31/21	2022	2023	2024	2025	2026	TOTAL 5 Year CIP
CURRENT RESOURCES	25,000	-	-	\$ 25,000	100,000	75,000	85,000	100,000	100,000	\$ 460,000
CAPITAL RESERVES	141,628	-	-	\$ 141,628	141,628	-	-	-	-	\$ 141,628
EQUIPMENT REPLACEMENT	-	-	-	\$ -	-	-	-	-	-	\$ -
GRANTS Community Environment Project Fund	-	-	-	\$ -	25,000	-	-	-	-	\$ 25,000
BOND ISSUES	-	-	-	\$ -	-	-	-	-	-	\$ -
STATE REVOLVING LOAN	-	-	-	\$ -	-	-	-	-	-	\$ -
AMERICAN RESCUE PLAN ACT	-	-	-	\$ -	-	-	-	-	-	\$ -
OTHER (SPECIFY)	-	-	-	\$ -	-	-	-	-	-	\$ -
TOTAL:	\$ 166,628	\$ -	\$ -	\$ 166,628	\$ 266,628	\$ 75,000	\$ 85,000	\$ 100,000	\$ 100,000	\$ 626,628
§ 806.1(4) ESTIMATED ANNUAL COST OF OPERATING / MAINTAINING PROJECT OR ASSET			OPERATING IMPACT:		2022	2023	2024	2025	2026	TOTAL
			INCREMENTAL COSTS (NET SAVINGS)		2,000	3,000	4,000	5,000	5,000	\$ 19,000