

**NESHANNOCK CREEK WATERSHED JOINT MUNICIPAL AUTHORITY**  
**Phone: (724)748-4808 Fax: (724)748-5668**  
**369 McClelland Road**  
**Mercer, PA 16137**

**MEETING MINUTES**

**May 13, 2015**

**8:15 AM**

*The Authority meets the second Wednesday of each month at 8:15 AM in the County Commissioner's Meeting room at the Mercer County Courthouse, Mercer, PA.*

**THE NEXT MEETING IS SCHEDULED FOR JUNE 10, 2015 AT 8:15 AM**

**ATTENDANCE**

Bob Gregory, John Lechner, Roger Shaffer, Patrick Suhrie, Paul Minner, Dan Goncz, Karen Shipton, Debbie Plant, Jerry Johnson, Walt Darraugh, John Montesanto, Mike Magee.

**\*The Meeting Opened with the Pledge to the U.S. Flag at 8:15 AM\***

**APPROVAL OF MINUTES FROM THE 04/08/15 MEETING AS PRESENTED**

*\*A motion was made by Pat Suhrie and seconded by John Lechner to approve the minutes from the 04/08/15 meeting as presented. Motion carried.*

**PUBLIC COMMENT**

John Montesanto from Multivista gave a brief presentation of the company They specialize in construction photo documentation.

**TREASURER'S REPORT**

John Lechner reported there was no activity for the month of April/2015.

*\*A motion was made by Jerry Johnson and seconded by Bob Gregory to approve the treasurer's report as presented. Motion carried.*

**PROJECT STATUS REPORT**

**A. Sewage Facilities Project Status Report**

a. Dan reviewed the Grinder Pump Agreement Status Report. There are (10) outstanding agreements.

b. Easement that was requested from Mercer County to Penn Power for the power that goes to the interchange pump station site. That right-of-way was signed by the County. We will have it recorded.

**Officers:**

**Chairman:**

Paul Minner

**Vice**

**Chairman:**

Patrick J. Suhrie

**Treasurer:**

John Lechner

**Secretary:**

Bob Gregory

**Rec Sec'y:**

Karen Shipton

**Board**

**Members:**

**Mercer**

**County:**

John Lechner

**Coolspring**

**Twp:**

Paul Minner

**East Lack**

**Twp:**

Robert Gregory

**Findley Twp:**

Patrick J. Suhrie

**Mercer Boro:**

Jerry Johnson

c. Additional project relation information was given to Northwest Savings as well as a certificate of engineer for the closing on the NWS loan. Dan handed out a bid tabulation report. There were a series of Appendices which was pretty much the bulk of the booklet. These are things required by Rural Development. The proof of publication, the MBE/WBE review and that is required of the bidders list, the bid tab summaries, Rural Development's evaluation and the submittals of the apparent low bidders. Dan went over the items listed in the book. A review letter was submitted by Mercer County Regional Planning Commission after they reviewed the submittals of the apparent low bidders relative to the MBE/WBE requirements system for award management system. Requirements for the CDBG Program. MCRPC reviewed the information and found everything to be in line. The bidder's satisfied the CDBG requirements. Dan reviewed the letter from USDA that is their review letter dated 5/4/15. In that letter they list a few things that were either missing or varied from what was required in the bid submittal. There are two (2) contracts that use a different bid bond format other than the standard format that RDA requests. Bid bond is security until the contract is signed. The performance and payment bond will replace the bid bond. Regarding Contract #7, the low bidder was Global Heavy Corporation. A statement of qualifications was not submitted with the bid. Rural Development indicated that in accordance with the guidance document that bulletin 1780-34 it appears that the bid is non-responsive. RD also indicates that the shortfall funding of approximately \$1.8 million dollars as a result of the bids coming in over budget. Article #7 of the bid form has various attachments that were required to be submitted. They were listed A-K. The bid bond proposed subcontractor suppliers, Dan had us look at "D" Project References, "F" Bidder Qualification Statement, those (2) two attachments indicates that none are available. There is a requirement in the bidding documents in the instructions to bidders for this project that contractors who are working on this project as prime contractors have to document and have (2) two years prior experience with this type of work, that was not submitted with the bid document. There was some additional information that was submitted post bid, and that is located in Appendix "M". The statement of experience that was submitted by Global Heavy was for their President of the firm, his personal past experience and a list of individuals who are working for the company. But again, the additional experience that was submitted did not show (2) two years of experience as "Global Heavy Corporation". Dan also discussed Appendix "P". A letter dated 4/29/15 and that was a request for an additional \$1,798,600.00 in funding as a result of the bids coming in overall higher than anticipated. The status of that letter is on Friday, May 7, 2015, the local office in Meadville (Rural Development) submitted to the State Office a request for additional funding which is now in the hands of the Federal Office for additional funding. We expect a response this Friday. Additional meetings will be held in accordance with this decision as there will be actions that need to be taken as a result of this. The \$1.8 million is based on rejecting the low bid for Contract #7 of Global Heavy and going with the 2<sup>nd</sup> bid of Jack Gibson. The difference between those (2) bids was \$375,000. Dan had many conversations with the Authority Solicitor and Rural Development and the recommendation we are going to be making will be to go with the 2<sup>nd</sup> bid on Contract #7 because of the low bid being non-responsive with their documentation for qualifications. The status of the request again is this Friday. The goal is to still be in the range of a monthly bill of \$65-\$70 a month for customers. Dan went back to page 10, There are

recommendations that are being made here with this report that will require Board action.

1. Recommendation to waive the submittal of the incorrect bid bond format by Klingensmith Enterprises (Contract #1) & McCurley Houston Electric, Inc. (Contract #8) and accept the format presented in both of these Contracts.

***\*A motion was made by John Lechner and seconded by Pat Suhrie to waive the submittal of the incorrect bid bond format of Klingensmith Enterprises & McCurley Houston Electric as an informality. Motion was carried unanimously.***

2. ***\*A motion was made by John Lechner and seconded by Jerry Johnson to accept the Evidence of Authority to sign for the following Corporations: J.S. Bova Excavating, Inc., Trombold Equipment Co., Mortimer's Excavating, Inc., Blackhawk- Neff, Inc., McCurley Houston Electric, Inc., (Contracts 2,3,6,4 & 8). Motion was carried unanimously.***

3. ***\*A motion was made by Pat Suhrie and seconded by Jerry Johnson to reject the bid of Global Heavy Corporation (Contract #7) as a non-responsive bid on the basis of the bid submittal not including documentation that Global Heavy Corporation has at least two (2) years of experience in the construction of sewage facilities of similar scope and size as required by Article 3.01.B of Specification Section 00200; and, on the basis that Global Heavy Corporation did not provide a Statement of Qualifications and Refer4ences with their Bid Submittal in accordance with Articles 7.01.D and 7.01.F of Specification Section 00410. Motion was carried unanimously.***

***\*\*Note....Rural Development has made a recommendation, not mandated that this bid by Global Heavy Corporation be rejected. It is not necessarily binding on this Board, but Rural Development is the funding source.***

4. Approval of the issuance of the Notices of Intent to Award. Funding is not yet in place to cover the entirety of the contract if the bids are awarded today. Board Solicitor Roger Shaffer stated that he has reluctantly agreed to proceed with this process with a notice of intent to award to the respective low bidders and low responsive bidders with a caveat that the approval is subject to receipt of funding.

***\*A motion was made by John Lechner and seconded by Jerry Johnson to approve issuance of notice of intent to award contingent upon all funding being in place for the project and to obtain the required bonds and certificates of insurance from :***

<b><i>Contract #1:</i></b>	<b><i>Klingensmith Enterprises</i></b>	<b><i>\$1,009,510.00</i></b>
<b><i>Contract #2:</i></b>	<b><i>J.S. Bova Excavating, Inc.</i></b>	<b><i>\$1,588,313.00</i></b>
<b><i>Contract #3:</i></b>	<b><i>Trombold Equipment Co.</i></b>	<b><i>\$1,246,149.00</i></b>
<b><i>Contract #4:</i></b>	<b><i>Mortimer's Excavating, Inc.</i></b>	<b><i>\$ 702,200.00</i></b>
<b><i>Contract #5:</i></b>	<b><i>Chivers Construction Co.</i></b>	<b><i>\$ 557,970.00</i></b>
<b><i>Contract #6:</i></b>	<b><i>Blackhawk-Neff, Inc.</i></b>	<b><i>\$ 111,884.00</i></b>
<b><i>Contract #7:</i></b>	<b><i>Jack Gibson Cons. Co.</i></b>	<b><i>\$3,725,000.00</i></b>
<b><i>Contract #8:</i></b>	<b><i>McCurley Houston Electric, Inc.</i></b>	<b><i>\$ 381,500.00</i></b>

***Motion was carried unanimously.***

5. Acceptance of the revised Budget of \$10,780,000.00 as outlined in Appendix P of the Bid Tabulation Report and Engineer's Recommendation.

***\*A motion was made by John Lechner and seconded by Pat Suhrie to accept the post bid of \$10,780,000.00 as reflected in the revised Project Budget outlined in Appendix P. Motion was carried unanimously.***

6. Dan has (2) two letters that need signed addressed to:
  1. Global Heavy Corporation indicating that the bid has been rejected as non-responsive.
  2. Rural Development indicating (2) two of the actions: 1. Accepting the bid bond format,
    2. Accepting the Evidence of Authority to sign that was submitted after the bid.

### **PROJECT FUNDING**

1. Approval of Requisition No. 18 in the amount of \$16,546.73.  
***\*A motion was made by Jerry Johnson and seconded by Bob Gregory to approve the payment of Requisition No. 18 in the amount of \$16,546.73. Motion was carried unanimously.***

### **OLD BUSINESS**

1. Dan received the insurance policy from Reinhardt's Agency and will be kept on file with the Authority. We also received a reimbursement check payable to NCWJMA in the amount of \$113.00 for overpayment. This will be deposited into the Construction Account with MCSB.
2. Authority Website – Debbie Plant did some research on PA State Association of Boroughs PSAB). They will prepare sites for their members and through Mercer Borough the Authority can add on for \$100.00.  
***\*A motion was made by Jerry Johnson and seconded by John Lechner to approve joining PSAB as an additional partner to Mercer Borough for the amount of \$100.00 and an additional up to \$300.00 to establish and form the website. Motion was carried unanimously.***

### **NEW BUSINESS**

1. As part of the NPDS Permit, which is the permit to discharge sewage to the waterway of the Commonwealth, there is an annual permit fee and it's due June 1, 2015 in the amount of \$500.00.  
***\*A motion was made by John Lechner and seconded by Pat Suhrie to approve payment of the annual NPDS Permit fee of \$500.00. Motion was carried unanimously.***

There was discussion on advertising to meet every Wednesday at 8:15AM with things progressing and actions needing taken.

***\*A motion was made by John Lechner and seconded by Pat Suhrie to advertise to meet on Wednesday, May 27, 2015 at 8:15AM in the Commissioner's Board Room at the Mercer County Courthouse for the purpose of reviewing and approving project funding alternatives. Motion was carried unanimously.***

### **ADJOURNMENT**

A motion was made by Bob Gregory and seconded by Pat Suhrie to adjourn the meeting. Motion was carried unanimously. Meeting adjourned at 9:45 AM.

Respectfully Submitted;

Karen B. Shipton  
Recording Secretary