



June 20, 2022

Lisa Ramundo, Commissioner  
Albany County DPW  
449 New Salem Road  
Voorheesville, New York 12186

**Re: RFB#2022-072  
Watervliet Shaker Road (CR157) Roadway Improvement Project Phase III  
Tree Clearing and Preliminary Grading Contract  
Award Recommendation**

Ms. Ramundo,

M.J. Engineering & Land Surveying, P.C. (MJ) has reviewed the bids received on June 16, 2022 for the above-referenced contract. The bidders' information is summarized below.

Two (2) lump sum bids were received, which are tallied in order as follows:

<u>BIDDER</u>	<u>BID (\$)</u>
<u>James H. Maloy, Inc.</u>	<u>\$377,300.00</u>
<u>New Castle Paving, LLC</u>	<u>\$385,044.00</u>

M.J. Engineering & Land Surveying, P.C. is recommending that James H. Maloy, Inc. be chosen as the lowest bidder. The chosen low bidder is a responsible contractor based on:

1. They attended the pre-bid meeting.
2. They have adequate expertise and experience.
3. They have no known criminal conduct in connection with government contracts or criminal conduct involving violations of Environmental Conservation Law.
4. They do not have any open OSHA violations regarding the personal safety of employees, government personnel or members of the public.
5. There is no record of willful non-compliance with prevailing wage laws, known significant labor law violations or known violations of the Workers Compensation Laws.
6. They have not submitted a bid which is so much lower than the estimate that it appears performance at that price is unlikely or impossible.
7. There is not any other cause, so serious or compelling a nature, that it raises questions about the present responsibility of the contractor.

The apparent low bid is higher than the engineer's estimate (\$105,000). MJ discussed the bid with James H. Maloy, Inc. after the bid opening and it was explained that much of the elevated cost is based on uncertainties with material costs and fuel costs, given the substantial trucking effort associated with disposal of tree trunks



and stumps. Based on this justification and our prior knowledge of the contractor, we recommend that this project proceed with awarding the contract to James H. Maloy, Inc..

Sincerely,

Brian J. Cooper, P.E.  
Principal / Director of Transportation Engineering

Attachments:  
Bids Received