



Meeting Agenda – STAMP Committee
 Genesee County Economic Development Center
 Tuesday, January 14th, 2025 - 10:00 a.m.
 Location: 99 MedTech Drive, Innovation Zone

Page #'s	Topic	Discussion Leader	Desired Outcome
	1. Call to Order – Enter Public Session	P. Zelif	
	1a. Executive Session Motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105 for the following reasons: <ol style="list-style-type: none"> 1. Discussions regarding proposed, pending or current litigation. 2. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. 3. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof. 1b. Enter Public Session	P. Zelif	
2-5	2. Chairman’s Report & Activities 2a. Agenda Additions / Deletions / Other Business 2b. Minutes: December 4, 2024	P. Zelif	Vote
6-9	3. Discussions / Official Recommendations to the Board: 3a. Payment to the Village of Oakfield	M. Masse	Disc / Vote
10-19	3b. Escrow Agreement – Expenses	M. Masse	Disc / Vote
20-27	3c. Onsite Water Storage Tank Bids	M. Masse	Disc / Vote
	4. Adjournment	P. Zelif	Vote



GCEDC STAMP Committee Meeting

Wednesday, December 4, 2024

Location: 99 MedTech Drive, Innovation Zone

8:00 a.m.

MINUTES

ATTENDANCE

- Committee Members: C. Yunker, C. Kemp, P. Zelif
- Staff: M. Masse, L. Farrell, E. Finch, C. Suozzi, J. Krencik
- Guests: R. Ball (ESD/Video Conference), E. Wells (E3Communications), R. Crossen (Town of Alabama Supervisor), M. Fitzgerald (Phillips Lytle)
- Absent: M. Clattenburg

1. Call to Order / Enter Public Session

C. Yunker called the meeting to order at 8:02 a.m. in the Innovation Zone.

Presentation: e3communications – E. Wells advised that there has been a shift in strategy with STAMP. There is more focus and communication with internal stakeholders, elected officials, and regulatory agencies; getting key messaging related to STAMP out to the key stakeholders has been more of a goal than engaging with the mainstream media. The social media approach has also shifted with an increased focus on LinkedIn, as opposed to Facebook and Twitter. LinkedIn is a more business-to-business channel of communication. Whereas Facebook and Twitter have invited opinions and comments that aren't relevant to the information that we are trying to disseminate about STAMP. e3communications is working on a dedicated webpage for the GCEDC website to mitigate against rumors and provide facts.

E. Wells left the meeting at 8:11 a.m.

1a. Executive Session

C. Yunker made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:12 a.m., for the following reasons:

1. Discussions regarding proposed, pending, or current litigation.
2. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
3. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such a public body, but only when publicity would substantially affect the value thereof.

The motion was seconded by C. Kemp and approved by all members present.

R. Ball joined the meeting via video conference at 8:20 a.m.

1b. Re-Enter Public Session

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C. Kemp made a motion to enter back into public session at 9:05 a.m., seconded by C. Yunker and approved by all.

2. Chairman's Report & Activities

2a. Agenda Additions / Deletions/ Other Business – Nothing at this time.

2b. Minutes: October 30, 2024

C. Yunker made a motion to approve October 30, 2024, minutes; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes
M. Clattenburg – Absent
C. Kemp - Yes

The item was approved as presented.

3. Discussions / Official Recommendations to the Board:

3a. Access Agreement for Double Reed – Phillips Lytle has prepared for the GCEDC an Access License Agreement to allow Project Double Reed and their agents to enable their due diligence on GCEDC owned property for their proposed facility until that work is complete or a Purchase and Sale Agreement is executed. Any contractors would be required to sign indemnity agreements, provide proof of insurance and list the GCEDC as an additional insured on their policy with the applicable coverage limits as set forth by the GCEDC.

Fund Commitment: None.

Committee Action Request: Recommend approval of Access License Agreement.

C. Yunker made a motion to recommend to the full Board the approval of the Access License Agreement for Double Reed as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeff - Yes
C. Yunker - Yes
M. Clattenburg – Absent
C. Kemp - Yes

The item was approved as presented.

3b. SEQR Lead Agency for Project Double Reed – Included in the meeting materials is the SEQR Lead Agency Resolution. The GCEDC must send letters indicating intent to maintain lead agency status regarding Project Double Reed to all interested and involved parties. This starts the 30-day time in which interested and involved agencies have an opportunity to respond. As lead agency, the GCEDC is required to evaluate whether there are adverse environmental impacts that could occur because of

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Project Double Reed and the additional and/or modified infrastructure that have not been previously evaluated in the STAMP environmental record.

Resolution No. 12/2024-02

RESOLUTION DECLARING THE INTENT OF THE GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER TO ACT AS LEAD AGENCY PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

C. Kemp made a motion to recommend to the full Board the authorization of Resolution No. 12/2024-02 declaring the Agency’s intent to act as lead agency for Project Double Reed pursuant to SEQRA as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

- P. Zelif - Yes
- C. Yunker - Yes
- M. Clattenburg – Absent
- C. Kemp - Yes

The motion was approved.

3c. Mowing Contract for Genesee County – The GCEDC received a proposal for mowing of the mitigation areas at STAMP for 2025 in accordance with the terms of Part 182 Permit.

Fund Commitment: \$2,000 from mitigation escrow funds for STAMP Part 182 Permit. This amount was included in the escrow estimate when the account was established.

Board Action Request: Approval of mowing contract not to exceed \$2,000 with Genesee County.

C. Yunker made a motion to approve the Mowing Contract with Genesee County not to exceed \$2,000 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

- P. Zelif - Yes
- C. Yunker - Yes
- M. Clattenburg – Absent
- C. Kemp - Yes

The motion was approved.

3d. e3communications Agreement - e3communications, a professional media and public relations firm/consultant, has submitted a proposal for 2025 services related to public relations, sales and marketing content, and marketing services for the Western New York Science & Technology Advanced Manufacturing Park (STAMP).

In 2024, e3communications supported GCEDC staff with STAMP planning, sales and marketing, and government/stakeholder relations. e3communications also maintains STAMP’s targeted media presence to audiences in project development and the greater public on LinkedIn.

Fund Commitment: \$24,000 fund commitment. Funding is available and budgeted in the 2025 GCEDC Marketing - Operations budget for the full contract.

Board Action Request: Approval of a contract for services for the Jan. 1, 2025 to Dec. 31, 2025 period at \$24,000 per year.

C. Kemp made a motion to recommend to the full Board the approval of the e3communications contract not to exceed \$24,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Zelif - Yes
C. Yunker - Yes
M. Clattenburg – Absent
C. Kemp - Yes

The item was approved as presented.

4. Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 9:08 a.m., seconded by C. Kemp and passed unanimously.

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Payment under MOU with Village of Oakfield

Discussion: The GCEDC, STAMP Sewer Works Corp. and the Village of Oakfield are working together on the design, construction and operation of a new force main sewer line from the STAMP Site to the Village of Oakfield Waste Water Treatment Facility (“Oakfield WWTF”) to provide wastewater treatment services to STAMP. In May of 2024, these three entities entered into an MOU whereby the GCEDC would pay the Village of Oakfield for engineering costs incurred to review the design plans for the forcemain and potential upgrades to the existing WWTF.

Fund Commitment: \$12,532.50 to be covered under the \$8 million grant.

Committee Action request: Recommend approval of paying the Village of Oakfield engineering costs that are covered under the MOU.

MOUNTAIN ENGINEERING, PLLC**INVOICE**

122 Oak Street
 Batavia, NY 14020

INVOICE #1

DATE: JANUARY 7, 2025

TO:
 Village of Oakfield
 37 Main Street
 Oakfield, NY 14125

FOR:
 Consulting Services
 WNY STAMP Sanitary Sewer Flow to Oakfield
 WWTP

Date	Pers.		Hours
6/4/24	SJM	Meeting with Mayor Boyle, Lou Moretti (Camden Group), Al Graham (Camden Group) to review GCEDC proposal for sending sanitary waste to Village WWTP	2.0
6/17/24	SJM	Phone call with Dave Chase	1.0
7/24/24	SJM	Review of draft CPL Basis of Design report from David Chase	3.0
7/26/24	SJM	Continued review of CPL Basis of Design report; called Mayor Boyle to discuss my review	4.5
7/31/24	SJM	Meeting with Lou Moretti; Al Graham at Village WWTP to review CPL Basis of Design Report. Called Mayor Boyle with Camden Group to discuss our review	3.5
8/1/24	SJM	Phone call with David Chase	0.5
8/12/24	SJM	Attended Village board meeting to discuss GCEDC proposal and my proposal for services	1.0
8/16/24	SJM	Phone conversation follow up with Mayor Boyle and Lou Moretti	0.5
8/20/24	SJM	Review of phasing buildout of Stamp, Alabama, Oakfield flows	1.0
8/22/24	SJM	Meeting at GCEDC offices with Village, Camden Group, CPL and GCEDC for concept meeting with NYSDEC	2.0
9/6/24	SJM	Reviewed draft agreements (2) from Mayor Boyle in preparation for Village Board Meeting	3.0
9/9/24	SJM	Attended Village Board meeting to discuss Village's, Camden and Mountain Engineering's comments	1.5
10/11/24	SJM	Reviewed email from Zach Anderson (CPL) along with conception design documents attached	4.0
10/14/24	SJM	Continued review of concept design and the Teams meeting with CPL and GCEDC	3.0
10/21/24	SJM	Weekly teams meeting with CPL and GCEDC	1.0
10/21-	MEW	Provide information for new SPDES permit to CPL	4.0

10/22/24			
10/23/24	SJM	Gathering WWTP & Village Utility information for CPL	1.0
10/23/24	MEW	Gathering WWTP & Village Utility information for CPL	3.5
10/24/24	SJM	Call to update Mayor Boyle on Utility info	0.5
10/28/24	SJM	Weekly teams meeting update	1.0
10/29/24	MEW	Research sewer as-builts and provide copies to CPL	3.5
11/4/24	SJM	Weekly teams meeting	1.0
11/6- 11/8/24	MEW	Provide details of sewer system and meet with CPL to review sewer system.	6.0
11/6/24	SJM	Phone calls with Village and CPL regarding Utility Design Ticket	1.5
11/6/24	SJM	Proposed phasing of flows to Oakfield WWTP	1.5
11/7/24	SJM	Meeting with GCEDC, Camden Group at GCEDC office. Mayor Boyle by conference phone	2.0
11/11 & 11/13/24	MEW	Met with Tom M. and Zach A. on site to review utilities and go over proposed layout out on N. Pearl and Mill St.	4.0
11/21/24	SJM	Meeting at CPL offices to work together to layout best dual force main route along North Pearl and Mill Street	3.0
11/21/24	MEW	Met at CPL with Zach A. & Andrew K. and Steve Mt. to discuss North Pearl Force Main and STAMP contribution for Village's improvements.	3.0
11/21/24	SJM	Phone call: Mayor Boyle updating him on CPL design meeting	0.5
11/25/24	SJM	Teams meeting design of force main discussion	1.0
11/25- 11/26/24	MEW	Reviewed CPL cost estimates for sewer system improvements on North Pearl Street and Mill St and road reconstruction.	7.0
12/2/24	SJM	Reviewed Zach Anderson email with street replacement concept and cost estimate	1.5
12/2- 12/3/24	MEW	Reviewed quantities in cost estimates provided by CPL	2.0
12/5/24	SJM	Reviewed Zach Anderson email with street replacement concept and cost estimate	1.0
12/6/24	SJM	Phone conversation with Village Attorney Megan Dorritie	0.5
12/10/24	MEW	Met with Tom M. and Steve Mt. to discuss North Pearl and Mill Street force main/gravity sewer improvements and new water main with road reconstruction.	2.5
12/10/24	SJM	Attended Village Board meeting to answer questions on GCEDC dual force main route proposal	1.5
12/16-	MEW	Spreadsheet for proposed sewer rates based on varied usage by STAMP users.	2.0

12/17/24

12/23/24 SJM Meeting with Mayor Boyle on Agreement

1.5

Steven J. Mountain	50.5 hrs. @\$165.00/hr.:	\$8,332.50
Scott C. Lawler	0 hrs. @\$128.00/hr.:	\$ 0.00
Mark E. Wright	37.5 hrs. @\$112.00/hr.:	<u>\$4,200.00</u>

TOTAL AMOUNT THIS INVOICE: \$12,532.50

Make all checks payable to MOUNTAIN ENGINEERING, PLLC

Thank you for your business!

GCEDC
STAMP Committee Report
January 14, 2025

Escrow Agreements – Expenses

The GCEDC Board has required three data center projects that are looking at overlapping acreage to enter into agreements to cover the costs incurred by the GCEDC regarding their projects. The GCEDC Board approved the draft Escrow Agreement at the 10/31/24 Board Meeting. \$25,000 deposits have been received from each of the three companies. Funds are to be replenished as necessary.

Attached are three proposed engagement letters with Phillips Lytle engaging them to do the required work related to reviewing these projects. “Applicant shall reimburse invoices out of pocket consultants fees incurred in review of the Project”.

Fund Commitment: The total amount is to be determined. Total expenses would not exceed the total funds received from these companies under the Escrow Agreements.

Board Action Request: Recommend authorization to pay expenses related to the executed Escrow Agreements in place with three data center projects.



Phillips Lytle LLP

Via E-Mail
Personal and Confidential

January 7, 2025

Mark A. Masse
President and CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Re: Proposed Engagement Letter for STAMP Project - Project Hydroscale

Dear Mark:

Thank you very much for the opportunity to continue to assist the Genesee County Economic Development Center (and its affiliates) with the STAMP Project. The purpose of this letter is to supplement our existing engagement letters with a new scope of work. This supplement describes generally work relating to review of a proposed tenant application for Project Hydroscale in connection with the STAMP Project. The proposed "Proposed Scope of Work" is set forth in the attached. Upon receipt of your approval, we will bill you on a monthly basis for such work as fees and disbursements are incurred, consistent with our existing engagement.

If you are in agreement with the foregoing, please confirm same by signing and returning a copy of this letter to me. Of course, if you have any questions, please let me know. Thanks again.

ATTORNEYS AT LAW

DOUGLAS W. DIMITROFF MANAGING PARTNER DIRECT 716 847 5408 DDIMITROFF@PHILLIPSLYTTLE.COM

ONE CANALSIDE 125 MAIN STREET BUFFALO, NEW YORK 14203-2887 PHONE (716) 847-8400 FAX (716) 852-6100 | PHILLIPSLYTTLE.COM
NEW YORK: ALBANY, BUFFALO, CHAUTAUQUA, GARDEN CITY, NEW YORK, ROCHESTER | CHICAGO, IL | WASHINGTON, DC | CANADA: WATERLOO REGION

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Very truly yours,

Phillips Lytle LLP

By /s/ *Douglas W. Dimitroff*

Douglas W. Dimitroff
DWD

Genesee County Economic Development Center has reviewed and agreed to the above terms of engagement of Phillips Lytle LLP for the purposes and to the extent described in this letter.

Genesee County Economic Development Center

By _____
Mark A. Masse, President and CEO

Date _____



**STAMP Project - 1/7/25 Phillips Lytle Engagement Letter
Proposed Scope of Work for Project Hydroscale**

1. Review of Project Hydroscale (Proposed PL Matter 33082.00043): GCEDC and its affiliated entities are involved in processes of reviewing, evaluating, and responding to an application (“Application”) from JLL, to locate an approximately 900,000 square foot data center at the STAMP Site. Phillips Lytle will represent and assist GCEDC relative to the forgoing matter on an as-needed basis, including reviewing Application documents and providing analysis on the same, and drafting resolutions and other necessary documents as needed in connection with GCEDC’s review of the Application.

* The foregoing scope of work does not include assistance with any formal challenges to or litigation relating to Project Hydroscale.



Phillips Lytle LLP

Via E-Mail
Personal and Confidential

January 7, 2025

Mark A. Masse
President and CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Re: Proposed Engagement Letter for STAMP Project - Project Rampart

Dear Mark:

Thank you very much for the opportunity to continue to assist the Genesee County Economic Development Center (and its affiliates) with the STAMP Project. The purpose of this letter is to supplement our existing engagement letters with a new scope of work. This supplement describes generally work relating to review of a proposed tenant application for Project Rampart in connection with the STAMP Project. The proposed "Proposed Scope of Work" is set forth in the attached. Upon receipt of your approval, we will bill you on a monthly basis for such work as fees and disbursements are incurred, consistent with our existing engagement.

If you are in agreement with the foregoing, please confirm same by signing and returning a copy of this letter to me. Of course, if you have any questions, please let me know. Thanks again.

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Very truly yours,

Phillips Lytle LLP

By /s/ *Douglas W. Dimitroff*

Douglas W. Dimitroff
DWD

Genesee County Economic Development Center has reviewed and agreed to the above terms of engagement of Phillips Lytle LLP for the purposes and to the extent described in this letter.

Genesee County Economic Development Center

By _____
Mark A. Masse, President and CEO

Date _____



**STAMP Project - 1/7/25 Phillips Lytle Engagement Letter
Proposed Scope of Work for Project Rampart**

1. Review of Project Rampart (Proposed PL Matter 33082.00042): GCEDC and its affiliated entities are involved in processes of reviewing, evaluating, and responding to an application ("Application") from PRP REI, LLC, to locate an approximately 750,000 square foot data center at the STAMP Site. Phillips Lytle will represent and assist GCEDC relative to the forgoing matter on an as-needed basis, including reviewing Application documents and providing analysis on the same, and drafting resolutions and other necessary documents as needed in connection with GCEDC's review of the Application.

* The foregoing scope of work does not include assistance with any formal challenges to or litigation relating to Project Rampart.



Phillips Lytle LLP

Via E-Mail
Personal and Confidential

January 7, 2025

Mark A. Masse
President and CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Re: Proposed Engagement Letter for STAMP Project - Project Double Reed

Dear Mark:

Thank you very much for the opportunity to continue to assist the Genesee County Economic Development Center (and its affiliates) with the STAMP Project. The purpose of this letter is to supplement our existing engagement letters with a new scope of work. This supplement describes generally work relating to SEQRA review in connection with the STAMP Project. The proposed scope of representation is set forth on the attached "Proposed Scope of Work". Upon receipt of your approval, we will bill you on a monthly basis for such work as fees and disbursements are incurred, consistent with our existing engagement.

If you are in agreement with the foregoing, please confirm same by signing and returning a copy of this letter to me. Of course, if you have any questions, please let me know. Thanks again.

ATTORNEYS AT LAW

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Very truly yours,

Phillips Lytle LLP

By /s/ *Douglas W. Dimitroff*

Douglas W. Dimitroff
DWD

Genesee County Economic Development Center has reviewed and agreed to the above terms of engagement of Phillips Lytle LLP for the purposes and to the extent described in this letter.

Genesee County Economic Development Center

By _____
Mark A. Masse, President and CEO

Date _____



**STAMP Project - 1/7/25 Phillips Lytle Engagement Letter
Proposed Scope of Work for Project Double Reed**

1. Review of Project Double Reed (Proposed PL Matter 33082.00042): GCEDC and its affiliated entities are involved in processes of reviewing, evaluating, and responding to an application (“Application”) from Stream U.S. Data Centers, LLC, to locate an approximately 900,000 to 1,200,000 square foot data center at the STAMP Site. Phillips Lytle will represent and assist GCEDC relative to the forgoing matter on an as-needed basis, including reviewing Application documents and providing analysis on the same, and drafting resolutions and other necessary documents as needed in connection with GCEDC’s review of the Application.

* The foregoing scope of work does not include assistance with any formal challenges to or litigation relating to Project Double Reed.

Doc #12378137.1

Onsite water storage tank contract bids

Discussion: The GCEDC went out to bid for an onsite water storage tank that would connect to the potable water system at STAMP and the Town of Alabama. The bid was put out as one project but with three base bids as follows:

- A. 500,000 gallon storage tank.
- B. 1,000,000 gallon storage tank.
- C. 2,000,000 gallon storage tank.

The bid documents stated that the Owner reserves the right to award the Base Bids individually or the combination of the Base Bids to the lowest, responsive, responsible bidder based on which Bid combination best fits the project budget and priorities.

See the attached review letter from Clark Patterson Lee.

Fund commitment: \$4.2 million from the NYS \$56 million and any excess would be paid out of the land sale proceeds from Apple Tree Acres Park.

Committee action request: Committee to discuss which tank size and bid to award.

STAMP
FAST NY Grant
MWBE Analysis
1.10.25

Total FAST NY Grant	\$	56,000,000
MWBE Requirement (30%)	\$	16,800,000
Net	\$	39,200,000
Funds Received to Date	\$	39,200,000
Expenditures Committed to Date	\$	42,136,530

MWBE Requirement (30%)	\$	16,800,000
<i>MWBE Committed to Date:</i>		
<i>O'Connell - Millspaugh Construction</i>	\$	<i>7,045,621</i>
<i>CC Environment</i>	\$	<i>22,500</i>
<i>Clark Patterson Lee - subcontractors</i>	\$	<i>129,730</i>
Total MWBE Committed	\$	7,197,851
Net	\$	9,602,149

Total FAST NY Grant	\$	56,000,000
Less - Uncommitted MWBE	\$	9,602,149
Available to Award	\$	46,397,851

Available to Award	\$	46,397,851
Expenditures Committed to Date	\$	42,136,530
Balance Available to Award	\$	4,261,321



January 10, 2025

Mr. Mark A. Masse, CPA,
President & CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, New York 14020

**Re: GCEDC STAMP Water Tank and Crosby Road Water Main
Recommendation for Award
CPL Project No. R24.15997.00**

Dear Mark:

The bids for the above referenced project were opened on November 15, 2024. A copy of our bid tabulation is enclosed for your information and review.

The project's final bid documents, as modified through six Addenda from a fire water storage tank to a potable water storage tank, includes extension of the potable water distribution system along Crosby Road and the construction of an onsite potable water storage tank and infrastructure related to the STAMP site located near the Edwards Vacuum development along Crosby Road in the Town of Alabama, New York.

The tank sizes were 0.5 Million Gallons (MG) for the Base Bid, Alternate Bid 1 for 1.0 MG and Alternate Bid 2 for 2.0 MG tank sizes respectively. Only one (1) tank will be constructed under this Contract.

The Construction Agreement within the Bid documents set the schedule as:

Bid	Substantial Completion	Final Completion
All Bids – Crosby Road Water Main	April 1, 2025	May 1, 2025
Base Bid – 0.5 MG Tank	July 1, 2025	August 1, 2025
Alternate Bid 1 – 1.0 MG Tank	August 1, 2025	September 1, 2025
Alternate Bid 2 – 2.0 MG Tank	September 1, 2025	October 1, 2025

The schedule above was determined to allow potable water for testing and preliminary operations to begin at the Edwards facility prior to full occupancy and the need for full sprinkler flow demands that would require the tank to be in active service.



There was a total of eighteen (18) plan holders and only two (2) bids were received. A summary of the Bid prices received is shown in the table below:

Bidder	Base Bid (0.5 MG)	Alternate Bid No. 1 (1.0 MG)	Alternate Bid No. 2 (2.0 MG)
Preload LLC	\$4,127,000.00	\$4,521,800.00	\$5,351,400.00
DN Tanks of NY, LLC	\$4,473,280.00	\$5,007,580.00	\$5,889,380.00

As this project is to be funded through the FAST NY Grants from NYS Empire State Development, we also requested Minority Women-Owned Business Enterprise (MWBE) participation documentation, as the grant has a 30% goal, to be submitted with the Bid.

At the time of the Bid, Preload submitted MWBE participation of 0% (\$0.00), while DN Tanks provided 2.74% (\$122,500.00) based upon the 0.5 MG Base Bid for their direct subcontracted work. It is anticipated that the larger tank sizes could increase MWBE participation level.

As the Bid opening was November 15, 2024, and will have extended past the 60 days requested to honor bid pricing in the Contract Documents, we requested letters from both Preload and DN Tanks on January 6, 2025, if they are able and willing to honor their pricing for an additional 30 days to allow for the Award. Please refer to the attached letters from Preload and DN Tanks.

We have reviewed both contractors' qualifications and have discussed their respective bids in detail. We feel the bids received are a true representation of the costs to complete this project and that either of the contractors are qualified to complete the Contract. The requests for additional time appear to be in line with the additional time taken to Award the project and should still be operational in time for the Edwards facility.

Given that Preload submitted a Bid with 0% (\$0.00) MWBE Participation, their Bids must be deemed incomplete as the FAST NY ESD Grant details the need for MWBE Participation.

We recommend the GCEDC Board review the available information presented from DN Tanks and select the tank size that, based upon the costs and MWBE participation, best fits the needs for STAMP and utilization of the FAST NY ESD Grant. Both the 0.5 MG and 1.0 MG tank sizes would be operational by November 21, 2025, while the 2.0 MG tank would not be able to be completed until November 2026, well after the date needed by Edwards.

Once a tank size is selected, we recommend the GCEDC Board pass two resolutions:

1. A resolution to reject the Bid received from Preload LLC, as it is deemed incomplete for not supplying the requested MWBE Participation with their Bid.
2. A resolution accepting the Base Bid or Alternate Bid No. 1 or Alternate Bid No. 2 received from DN Tanks of NY, LLC for the Crosby Road Water Main and STAMP



Water Storage Tank

- a. Base Bid – 0.5 MG Tank in the amount of \$4,473,280.00
- b. Alternate Bid No. 1 – 1.0 MG Tank in the amount of \$5,007,580.00
- c. Alternate Bid No. 2 – 2.0 MG Tank in the amount of \$5,889,380.00

Once the size and Award is selected, we can provide a completed Notice of Award for the project, which will need to be signed and returned to our office. The Notice of Award will then be forwarded to the Contractor, along with copies of the Agreement and other documents for their execution. When returned, the executed agreements will be sent to the GCEDC for your signature. This process generally takes two (2) weeks.

CPL looks forward to working with you and the Contractor to successfully complete this project. If you have any questions or require additional information, please contact Jeremy DeLyser, P.E. at 585-402-7565 or me at 585-402-7506.

Very truly yours,

CPL

Andrew R. Kosa, P.E.
Principal

Enclosures

GCEDC

STAMP Water Tank & Crosby Road Water Main

R24.15997.00

Bid Opening: November 15, 2024

Bid Item	Description	Quantity	Unit	Preload LLC		DN Tanks of NY, LLC	
				Unit Price	Base Bid	Unit Price	Base Bid
Base Bid							
G-1	Mobilization (shall not exceed 3%)	1	LS	\$ 120,000.00	\$ 120,000.00	\$ 75,000.00	\$ 75,000.00
G-2	Maintenance and Protection of Traffic Including Signs and Flagperson	1	LS	\$ 8,000.00	\$ 8,000.00	\$ 56,500.00	\$ 56,500.00
G-3	Erosion Control	1	LS	\$ 11,000.00	\$ 11,000.00	\$ 20,330.00	\$ 20,330.00
G-4	Select Granular Fill	100	CY	\$ 70.00	\$ 7,000.00	\$ 270.00	\$ 27,000.00
W-1A	Furnish & Install 12-Inch Diameter DR-18 PVC Water Main	2,700	LF	\$ 100.00	\$ 270,000.00	\$ 198.00	\$ 534,600.00
W-1B	Furnish & Install 12-Inch Diameter Class 52 DIP Water Main	20	LF	\$ 225.00	\$ 4,500.00	\$ 680.00	\$ 13,600.00
W-1C	Furnish & Install 24-Inch Diameter DR-18 PVC Water Main	200	LF	\$ 230.00	\$ 46,000.00	\$ 620.00	\$ 124,000.00
W-1D	Furnish & Install 24-Inch Diameter Class 52 DIP Water Main	90	LF	\$ 310.00	\$ 27,900.00	\$ 620.00	\$ 55,800.00
W-1E	Directional Drilling w DIPS 12-inch Diameter DR-11 HDPE Water Main (No Casing	135	LF	\$ 250.00	\$ 33,750.00	\$ 670.00	\$ 90,450.00
W-2A	Furnish & Install 12-Inch Gate Valve	13	EA	\$ 13,500.00	\$ 175,500.00	\$ 10,300.00	\$ 133,900.00
W-2B	Furnish & Install 24-Inch Gate Valve	4	EA	\$ 44,000.00	\$ 176,000.00	\$ 71,900.00	\$ 287,600.00
W-3A	Furnish & Install Hydrant Assemblies	5	EA	\$ 10,500.00	\$ 52,500.00	\$ 17,600.00	\$ 88,000.00
W-3B	Furnish & Install Blow-Off Hydrant Assemblies	1	EA	\$ 11,000.00	\$ 11,000.00	\$ 22,600.00	\$ 22,600.00
W-4	Dry Connection to Existing 12-inch Water Main	3	EA	\$ 11,000.00	\$ 33,000.00	\$ 11,300.00	\$ 33,900.00
W-5	Furnish & Install 2-inch Permanent Blow-Off Assembly	2	EA	\$ 4,000.00	\$ 8,000.00	\$ 10,700.00	\$ 21,400.00
W-6A	Furnish & Install 0.5 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 2,613,850.00	\$ 2,613,850.00	\$ 2,345,400.00	\$ 2,345,400.00
W-7A	Altitude Valve Manhole	1	EA	\$ 27,000.00	\$ 27,000.00	\$ 77,100.00	\$ 77,100.00
W-7B	Check Valve Manhole	2	EA	\$ 20,500.00	\$ 41,000.00	\$ 66,000.00	\$ 132,000.00
W-8	Site Improvements	1	LS	\$ 389,000.00	\$ 389,000.00	\$ 215,800.00	\$ 215,800.00
W-9	Pump Station Bypass Pump Connection Assembly	1	LS	\$ 17,000.00	\$ 17,000.00	\$ 63,300.00	\$ 63,300.00
FCA-1	Field Change Allowance	1	LS	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
CTA-1	Compaction Testing Allowance	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
Total Base Bid					\$ 4,127,000.00		\$ 4,473,280.00
Alternate Bid 1: 1 Million Gallon Tank							
Total Base Bid Amount					\$ 4,127,000.00		\$ 4,473,280.00
Deduct (Items from page 00410R-6)							
W-1D	Furnish & Install 24-inch Diameter Class 52 DIP Water Main	20	LF	\$ 310.00	\$ 6,200.00	\$ 680.00	\$ 13,600.00
W-6A	Furnish & Install 0.5 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 2,613,850.00	\$ 2,613,850.00	\$ 2,345,400.00	\$ 2,345,400.00
Subtotal Deduct Amount					\$ 2,620,050.00		\$ 2,359,000.00
Add							
W-6B	Furnish & Install 1 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 3,014,850.00	\$ 3,014,850.00	\$ 2,893,300.00	\$ 2,893,300.00
Total Alternate Bid 1					\$ 4,521,800.00		\$ 5,007,580.00
Alternate Bid 2: 2 Million Gallon Tank							
Total Base Bid Amount					\$ 4,127,000.00		\$ 4,473,280.00
Deduct (Items from page 00410R-6)							
W-1D	Furnish & Install 24-inch Diameter Class 52 DIP Water Main	60	LF	\$ 310.00	\$ 18,600.00	\$ 680.00	\$ 40,800.00
W-6A	Furnish & Install 0.5 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 2,613,850.00	\$ 2,613,850.00	\$ 2,345,400.00	\$ 2,345,400.00
Subtotal Deduct Amount					\$ 2,632,450.00		\$ 2,386,200.00
Add							
W-6C	Furnish & Install 2 MG Prestressed Concrete Water Storage Tank (AWWA D110)	1	LS	\$ 3,856,850.00	\$ 3,856,850.00	\$ 3,802,300.00	\$ 3,802,300.00
Total Alternate Bid 2					\$ 5,351,400.00		\$ 5,889,380.00
Note: Shaded areas denote an error in the Contractor's bid. This bid tabulation reflects the corrected bid amount.							



Prestressed Concrete Tanks

January 10, 2025

Mr. Mark A. Masse, CPA
President & CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Re: Stamp Water Tank and Crosby Road Water Main
CPL Project No.: R24.15997.00

Dear Mr. Masse:

On January 7, 2025, CPL informed Preload, LLC ("Preload") that Genesee County Economic Development Center ("GCEDC") intends to move forward with an award to Preload on the above-referenced Project, but may need more time than the period subject to which Preload's Bid remains open to acceptance which expires on January 14, 2025. Pursuant to CPL's request on behalf of GCEDC, Preload hereby agrees to extend the time for GCEDC's acceptance of Preload's Bid by thirty (30) days; accordingly, Preload's Bid is now subject to acceptance until February 13, 2025, ninety (90) days after the bid opening, conditioned upon the following changes to the Contract Documents:

1. A Notice to Proceed issued no later than February 17, 2025.
2. The required date for substantial completion of all water main work within the 100-foot right-of way of Crosby Road, North of the valve cluster at the intersection of Crosby Road and Stamp Drive) to the Edwards Facility (C52+50 to C73+00 and F9+40 to F14+00), extended to June 1, 2025, and the required date for such work to be completed and ready for final payment extended to July 1, 2025.
3. The required date for substantial completion of all work associated with the Base Bid extended to November 15, 2025, and the required date for such work to be completed and ready for final payment extended to December 15, 2025.
4. The required date for substantial completion of all work associated with the Base Bid and Alternate Bid 1 extended to November 15, 2025, and the required date for such work to be completed and ready for final payment extended to December 15, 2025.
5. The required date for substantial completion of all work associated with the Base Bid and Alternate Bid 2 extended to November 15, 2025, and the required date for such work to be completed and ready for final payment extended to December 15, 2025.

We look forward to working for GCEDC.

Sincerely,

Preload, LLC

Steven J. Dudle

Steven J. Dudle, P.E.
District Sales Manager

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**BUILT
FOR THE FUTURE**

January 10, 2025

Mr. Mark A. Masse, CPA
President & CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

Reference: STAMP Water Tank and Crosby Road Water Main
CPL Project No.: R24.15997.00

Dear Mr. Masse,

As requested, DN Tanks, LLC hereby agrees to provide a 30-day extension of our bid dated November 15, 2024 for the above referenced project. Additionally, DN Tanks, LLC is pleased to inform you that we will hold our bid price for this extended period at no additional cost. Our bid pricing provided to you on November 15, 2024 will now be valid through February 13, 2025.

The following is the proposed schedule for the tank capacity construction start and completion dates. Please note that due to the short notice regarding your request for this information, we still need to verify these dates are feasible with our Operations Team. We will follow up prior to the Board meeting on January 16, 2025:

	Anticipated Tank Start	Substantial Completion (Tank Online)
0.5 MG	8/4/2025	11/21/2025
1.0 MG	7/21/2025	11/21/2025
2.0 MG	5/4/2026	11/9/2026

Please contact Jamie Howard should you have any questions.

Best Regards,

Stephen P. Boyle
Senior Vice President-Estimating

cc: Mr. Jamie Howard, DN Tanks, LLC
Mr. Jeremy DeLyser, P.E., CPL