

**Joint Meeting of the Black Creek and Oatka Creek Watershed Management
Plans Project Advisory Committees**

6:30 – 8:30 ~ LeRoy Chemical & Hose Company

In Attendance

Oatka Creek Project Advisory Committee

Members

Rick VenVertloh, PAC Chair/OCWC Chair
Maureen Leupold, GCC
Lisa Compton
Greg McKurth, Wyoming SWCD

Black Creek Advisory Committee Members

Peggy Grayson, Town of Stafford Rep.
Ray Cipriano

Tom Ryther

Joint Members

Felipe Oltremari, Genesee Co. Planning
Rochelle Bell, Monroe Co. Planning

Staff

Brian Slack, G/FLRPC
David Zorn, G/FLRPC

Summary

6:30 Introductions

6:35 Review Meeting Agenda and Outcomes

Brian noted that the primary outcome of this evening's meeting is to continue review of the draft RFP for third party procurement and, if feasible at this juncture, move to have it approved so that it can be forwarded to the NYS DOS Division of Coastal Resources (the Division) for review and approval.

6:40 Review and approve meeting summary from 10/20/09

- *Address issue of 10/20 agenda revisions*

Brian asked for any comments or necessary revisions to the 10/20 Meeting Summary. Maureen Leupold asked that her office affiliation be listed with her name. No other comments were made.

Brian requested a motion to approve the 10/20 Meeting Summary with revisions. Motion made by Lisa Compton; 2nd made by Maureen Leupold. All were in favor – motion carried.

Brain noted that several minor revisions had to be made to the October 20th meeting agenda. He asked the committee if they thought these changes required any level of review and approval. F. Oltremari did not believe that such a strict level of scrutiny and adherence to procedure was necessary; all were in agreement. In the future, Brian and staff will use their discretion when making minor changes or revisions to the agenda or similar materials.

Old Business

6:50 Project Overview

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The draft Project Overview has been posted to the project website; url is <http://gflrpc.org/Publications/BlackOatka/ProjectOverview.pdf>

7:00 PAC Chairs and Vice Chairs

Brian reported that he has put a call in to Larry VerWeire but has not yet heard back from him. He has also spoken with Lyle Warren; Mr. Warren is prepared to assume to role of Chair if Mr. VerWeire is unable or unwilling to do so. Maureen Leupold suggested that we set a deadline by which we should have this issue settled. Brian agreed and noted that he will attempt to contact Larry once more; if unable to contact Larry, we will assume that Lyle will serve as Chair as of December 4th.

7:10 Review of and discuss draft Request for Proposals

- *Hard copy distributed on 10/20; revised version submitted through email to PAC members with agenda*

Brian began by briefly explaining the process that has led to this current draft. He further noted that he hoped for a relatively quick resolution to this issue in that it still requires DOS approval. He then opened the floor to comments.

Rick VenVertloh began by noting that he had quite a few comments on the draft, which he later submitted to Brian in writing. His main comment and concern was that the draft in its current form would be very difficult for any firm to bid on and bill on given its current structure. He did not see how a firm could feasibly submit a budget summary as requested under Section 3. He noted that the changes necessary to make this a workable RFP would be considerable; as an alternative, the best approach may be to make this RFP a Request for Qualifications (RFQ). (Note: This possibility was originally raised by Rochelle Bell during the September PAC meeting; Brian inquired to the Division and it is an allowable approach).

An RFQ process will allow G/FLRPC and the PACs to structure the procurement process differently. The various needs as they are described in the RFP can first be issued in a public format and qualified or interested parties can then reply to RFQ with inquiries or eventual proposals.

Discussion ensued.

Rochelle Bell noted that the Division did state in the July 6 conference call (see Meeting Summary at <http://gflrpc.org/Publications/BlackOatka/ProjectOverview.pdf>) that ‘sole source procurement’ was a possibility if we had a specific organization in mind. David Zorn raised the possibility of sharing a revised version of the Request document with a selection of possible contractors in order to gauge whether this was work that they would be interested in doing. Brian noted that such an approach might be valuable, but if such an approach is used, we would have to be certain that it is permissible. It would further have to be done in a manner that would in no way be interpreted as exclusionary or pre-determined. A preference raised by PAC members early on in this process was to receive a variety of proposals so that we can perhaps choose from the best of several different approaches; Brian noted that he simply wants to try to maintain this option to whatever degree possible. All were in agreement that this is still a preference. However, there are not many outfits that would be capable of meeting the parameters of this project given the resources available, making the approach raised by David seem preferable.

Rick further noted as an example that the NYS Dept. of Transportation sometimes will advertise a project and even do a project presentation so that potential bidders can get a better idea of the needs of the project in advance of putting together an application. This is sometimes referred to as a “pre-proposal” meeting.

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He further emphasized that an RFQ process might allow us the ability to speak directly with potential partners in advance of the application/selection process.

Ray Cipriano noted that the we do want this ‘partnership’ to remain flexible. Brian noted that that was indeed the case. Rochelle Bell asked for clarification as to why G/FLRPC is not able to be more specific in the draft request regarding the need for and duties of the selected contractor. Brian explained that we will not be certain until we get further ahead in the process of drafting the Characterizations and other project components. He further explained that the PACs will likely have to make decisions regarding the level of specificity and detail that final products have. The need for a hydrologic model provides a useful example: G/FLRPC is capable of producing a basic hydrologic model that would meet the requirements of the Division. PACs, however, might want to have a more robust or comprehensive model to be created. If that is indeed the case, it will likely be more efficient for G/FLRPC to have a third party perform the work. This is why the tasks as outlined in the Request for Third Party Contractor need to be flexible. Brian emphasized that we need to have a partner that is willing to stick with us to the end of the project as opposed to a firm that will perform a specific set of tasks.

It was noted that the theme of preferring a “project partner” continues to arise in our discussion. If that is our need, perhaps we should be more explicit in that regard and put that language directly in the final document so that potential applicants have a clear idea of what we’re looking for.

Regarding recommendations for moving this draft Request forward, Rochelle suggested that we simply add a cover sheet explaining some of the needs and issues that we discussed this evening and referring to the Project Overview. Further, she suggested that some of the language under “continuance of contributions” might work to scare applicants away and perhaps this should be removed.

Tom Ryther and Lisa Compton both had comments regarding the bidding process; both were curious as to how the actual bidding process would play out. After brief discussion, it was agreed that we need to follow-up with the Division to confirm what our possible options are with this RFP/RFQ process and then move forward with these recommendations and revisions. Brian would like to make these changes during the first week of December so that the PACs can meet before the holiday season and, ideally, approve the draft Request document.

Action Items: Brian to confer with the Division, address comments and revisions and prepare a revised draft Request document to be circulated by mid-December.

New Business

7:40 Project administration and housekeeping

Brian opened the floor for discussion regarding general PAC organization and how well communication has been handled thus far. He noted that several members have been unable to use the ‘doodle.com’ application for scheduling meetings. He will therefore use a different approach; he emphasized, however, the need to contact him with any problems so that he can address them rather than finding out about them after the fact.

Brian raised the possibility of having an agenda item devoted to Black Creek Coalition and Oatka Creek Watershed Committee updates at each meeting. After brief discussion, it was decided by Brian that having a section of each agenda devoted to “Other Business” would probably be adequate.

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8:00 Other Issues for Discussion

Maureen noted that the Genesee SWCD newsletter had an article describing the coming purchase and erection of watershed signs throughout the county. All agreed that this was a positive development.

8:15 Review Action Items/Schedule Next Meeting

Action Items: Brian to confer with the Division, address comments and revisions and prepare a revised draft Request document to be circulated by mid-December.

Scheduling of next meeting: Brian asked PAC members to note any dates that would or would not work for people during the week of December 14th. Monday Dec. 14th might be a possibility; the 16th would not work for Felipe. Brian will circulate an email request for possible dates for the next meeting. We will try to meet at the LeRoy Public Library again if it is available.

8:30 Adjourn

Motion to adjourn made by Rick VenVertloh; 2nd by Ray Cipriano. All were in favor.

Project Website: <http://gflrpc.org/blackoatka.htm>