

13521

TO: Board of Acquisition and Contract

FROM: Joseph N. Hankin
President, Westchester Community College

DATE: August 17, 2010

RE: Authorization for the County of Westchester, acting by and through Westchester Community College (the "College"), to enter into an agreement with the New York State Industries for the Disabled ("NYSID") for janitorial services at the College for the five (5) year period September 1, 2010 to August 31, 2015, in an annual amount not to exceed \$1,323,040.43, for a total amount not to exceed \$6,615,202.15 (including \$65,000.00 in miscellaneous additional work) payable pursuant to an approved budget, subject to annual adjustments based upon the increase in the Consumer Price Index and subject to appropriations; to approve AHRC New York City as a subcontractor; and to exempt NYSID from the County's Performance and Payment Bond requirement

Authorization is hereby requested for the County of Westchester (the "County"), acting by and through Westchester Community College (the "College"), to enter into an agreement with the New York State Industries for the Disabled ("NYSID") for janitorial services at the College for the five (5) year period September 1, 2010 to August 31, 2015, in an annual amount not to exceed \$1,323,040.43, for a total amount not to exceed \$6,615,202.15 (including \$65,000.00 in miscellaneous additional work) payable pursuant to an approved budget, subject to annual adjustments based upon the increase in the Consumer Price Index and subject to appropriations; to approve AHRC New York City as a subcontractor; and to exempt NYSID from the County's Performance and Payment Bond requirement.

All work shall be payable in accordance with the approved budget which is annexed hereto and made a part hereof as Schedule "A". The not to exceed amount of contract years two (2) through five (5) shall be subject to an annual adjustment which shall be based upon 100% of the increase in the Consumer Price Index for All Urban Consumers (CPI) 1983=100 for New York, N.Y., Northeastern, N.J. ("CPI").

The State of New York enacted legislation (New York State Finance Law § 162) which not only exempts the procurement of certain products and services from competitive procurement provisions, but also requires the County to give designated preferred sources an opportunity to provide these commodities or services. The exemption applies to the provision of janitorial services and NYSID is a preferred source.

NYSID is a non-profit organization established in 1976 by the New York State Commissioner of Education to act as the central coordinator for member organizations, which serve people with disabilities by making those organizations eligible for State contracts as preferred providers. As

of today, approximately one hundred twenty five (125) organizations are certified for NYSID membership, and AHRC New York City, 83 Maiden Lane, New York, New York 10038, is such a member agency.

In accordance with, and pursuant to the provisions contained in State Finance Law § 162, the County notified NYSID describing the requirements of this contract, and NYSID submitted a notice of intent within the requisite ten (10) days to provide the services. The County has reviewed the information provided by NYSID and determined that the services are available in the “form, function and utility” required by the County.

Pursuant to State Finance Law § 162, the Commissioner of the New York State Office of General Services (“OGS”) sets the fair market price for services and determines whether a proposed price is within fifteen percent (15%) of the fair market price. The County must utilize that preferred provider as long as the price for the services does not exceed fifteen percent (15%) of the fair market price for such services as determined by OGS. Pursuant to State Finance Law § 162, OGS has approved the price herein and has determined that the fee to be paid under this contract is reasonable based on the applicable Prevailing Wage Schedule as set by the New York State Commissioner of Labor and taking into account the provisions of the Westchester County Living Wage Law.

NYSID will perform the janitorial services by utilizing AHRC New York City, as a subcontractor. The utilization of AHRC New York City and the population it serves, individuals with disabilities, as a subcontractor on this contract, is precisely the arrangement that was envisioned when NYSID was set up and the preferred source procurement was adopted.

NYSID has provided services to the County for a number of years and currently has other contracts with the County. Accordingly, authority is requested to eliminate the requirement that NYSID provide a Performance and Payment Bond.

This contract is in the public’s best interest because it will enhance the upkeep, maintenance and cleanliness of the facilities of the College and promote the health, safety and general welfare of employees, students and the general public, thus addressing the County Executive’s priority areas of Health and the Environment (HE) and Safety and Security (SS).

This contract will provide an environmental benefit through the utilization of “Green” cleaning products in accordance with Executive Order 2-2006.

If this resolution is not approved, the County will be in violation of State Finance Law § 162 which requires the County to utilize a designated preferred source to provide these services.

This department will submit expense records/vouchers for reimbursement through the County’s Advantage Financial System to track the expense reimbursements for this contract.

Accordingly, authorization to award the contract for janitorial services to NYSID is requested. I recommend approval of the attached resolution.

JH/JPI
Attachment

SCHEDULE "A"

New York Industry for the Disabled				
Service Cost Analysis Sheet				
Member Agency: AHRC; NYC Chapter				
Westchester Community College, Valhalla Campus ONLY				
75 Grasslands Road, Valhalla, NY (614,364 sq ft)				
Bid# 332-11-001 (9/1/10 to 8/31/15)				
				8/9/2010
Total 20.5 FTEs from Mon to Fri	<u>Amount</u>	<u>Rate</u>		<u>Total Cost</u>
Porters	41,492.0000	12.0000	\$ 497,904.0000	
Statutory Fringes Benefits Rate	497,904.0000	14.4739%	\$ 72,066.2420	
Supplemental Benefits for Reg Hrs	41,492.0000	2.8983	\$ 120,257.6467	
Total Labor Cost for Porters for Regular Hours			\$ 690,227.8886	
Foreman/Supervisor	<u>Amount</u>	<u>Rate</u>		<u>Total Cost</u>
Foreman/Supervisor	2,024.0000	22.0000	\$ 44,528.0000	
Statutory Fringes Benefits Rate	44,528.0000	14.4739%	\$ 6,444.9485	
Supplemental Benefits for Reg Hrs	2,024.0000	5.0000	\$ 10,120.0000	
			\$ 61,092.9485	
Total Cost for FTEs and Supervisor			\$ 751,320.8371	
Foreman	<u>Amount</u>	<u>Rate</u>		<u>Total Cost</u>
Foreman	2,024.0000	14.0000	\$ 28,336.0000	
Statutory Fringes Benefits Rate	28,336.0000	14.4739%	\$ 4,101.3308	
Supplemental Benefits for Reg Hrs	2,024.0000	5.0000	\$ 10,120.0000	
Total Labor Cost for Foreman			\$ 42,557.3308	
Total Cost for Foreman			\$ 42,557.3308	
Saturday Hours (Porters)	<u>Amount</u>	<u>Rate</u>		<u>Total Cost</u>
Porters	416.0000	12.0000	\$ 4,992.0000	
Statutory Fringes Benefits Rate	4,992.0000	14.4739%	\$ 722.5382	
Supplemental Benefits for Reg Hrs	416.0000	2.8983	\$ 1,205.7067	
Total Labor Cost for Porters for Regular Hours			\$ 6,920.2449	
Total Cost for Sat Shift			\$ 6,920.2449	

Sun Hours (Porters)	<u>Amount</u>	<u>Rate</u>		<u>Total Cost</u>
Porters	416.0000	12.0000	\$	4,992.0000
Statutory Fringes Benefits Rate	4,992.0000	14.4739%	\$	722.5382
Supplemental Benefits for Reg Hrs	416.0000	2.8983	\$	1,205.7067
Total Labor Cost for Porters for Regular Hours			\$	6,920.2449
Total Cost for Sun Shift			\$	6,920.2449
Management	<u>Amount</u>	<u>Allocation</u>		<u>Total Cost</u>
Project Manager	55,000.000	0.00%	\$	-
Statutory Fringes Rate	29.500%		\$	-
Total Labor Cost for Porters for Regular Hours			\$	-
Total Labor Cost for Mgmt			\$	-
TOTAL FINAL LABOR COST:			\$	807,718.6577
Equipment & Supplies	<u>Amount</u>	<u># of yrs</u>	<u>Depreciation/Amoritzation</u>	<u>Total Cost</u>
Equipment	\$ 67,795.93	5	\$13,559.19	\$ 13,559.1860
Truck	\$ 575.10	12		\$ 6,901.2042
Total Equipment Cost			\$	20,460.3902
	<u>Amount</u>			<u>Total Cost</u>
Cleaning Supplies	\$ 294,448.82			\$ 294,448.8200
Total Supplies			\$	294,448.8200
Cellphone	<u>Amount</u>	<u>Months</u>	<u>Total</u>	<u>Total Cost</u>
Cellphone				\$ -
Total Transportation & Cellphone Cost			\$	-
Total Supplies, Equipment and Communication Cost:			\$	314,909.2102
Total Labor Cost			\$	807,718.6577
Total Supplies, Equipment & Trans Cost			\$	314,909.2102
Insurance			\$	12,195.7920
Subtotal:			\$	1,134,823.6599

Overhead Cost	\$	175,216.7700
Total with Overhead Cost:	\$	1,310,040.4299
TOTAL CONTRACT PRICE PER YEAR:		\$ 1,310,040.4299
5 yrs	\$	6,550,202.1497
Monthly Cost	\$	109,170.0358

APPROVED BOARD OF ACQUISITION & CONTRACT - 9-2-2010 - JOMARY VIEIRA, SECRETARY