

13555

TO: Board of Acquisition and Contract

FROM: John J. Hsu, P.E.
Commissioner of Public Works

DATE: August 17, 2010

SUBJECT: Resolution to Award to the Sole Bidder
Contract No. 10-216
Boiler Maintenance Service
Courthouse Heating Plant
White Plains, New York
Contractor: Unity Mechanical Corporation
Amount: \$384,000.00

On July 14, 2010, one (01) bid was received and opened for Contract No. 10-216 for Boiler Maintenance Service, Courthouse Heating Plant, White Plains, New York.

Only one (01) contractor submitted a bid because the project requires special testing equipment and experience along with manufacturers' certifications to perform inspections, preventive maintenance and emergency call back services for the Courthouse Heating Plant boiler equipment. The Department has canvassed potential bidders and there are a limited number of contractors that are both certified and equipped to perform this type of specialty work. This project was advertised on the Hudson Valley Municipal Purchasing Group ("HVM") website, in addition to the Journal News (Southern Edition), and was viewed by 14 entities on the HVM website. In addition, e-mails were sent to those 14 entities and to an additional 75 suppliers and contractors. This contract is crucial to maintain the Courthouse Heating Plant for continuous and uninterrupted operation.

The bids were reviewed by the Department and it was determined that Unity Mechanical Corporation submitted the sole bid in the amount of \$384,000.00.

The sole bidder has been investigated and it has been found that Unity Mechanical Corporation:

- Performed satisfactory work in the past for the County.
 Past experience has been investigated and found satisfactory.

Funds for this project are available in the:

- Capital Budget
 Non-Recurring Budget
 Operating Budget

The objective of this contract is to maintain the Courthouse Heating Plant for continuous and uninterrupted operation.

This contract is in the public's best interest because it will promote the health and safety of the general public by maintaining heating systems within specified parameters.

The project will provide energy savings by maintaining heating systems within operating specifications, thus addressing the County Executive's priority areas: Health and the Environment (HE).

As expenditures are made pursuant to this authorization, detailed records will be kept in the County's on-line financial system. These records will be easily accessible by Finance, Budget and department staff and will be reviewed regularly to ensure that funds are used appropriately.

It is my recommendation that Contract No. 10-216 be awarded to Unity Mechanical Corporation in the amount of \$384,000.00, subject to appropriations.

This resolution has been reviewed by the Law Department.

JA/

APPROVED BOARD OF ACQUISITION & CONTRACT 9-2-2010 JOMAR VERA, SECRETARY

RESOLUTION

CONTRACT NO. 10-216

Upon communication from the Commissioner of Public Works, be it

RESOLVED, that Contract No. 10-216 for Countywide Boiler Maintenance Service, Courthouse Heating Plant, White Plains, New York be and is hereby awarded to the sole bidder, Unity Mechanical Corporation, 11 Bill Horton Way, Wappingers Falls, New York 12590, in the amount of \$384,000.00; and be it further

RESOLVED, that this contract is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3200	4380		\$21,333.33 (2010)
	101	46	3200	4380		\$128,000.00 (2011)
	101	46	3200	4380		\$128,000.00 (2012)
	101	46	3200	4380		\$106,666.67 (2013)

Budget Funding Year(s) 2010-2013 **Start Date:** November 1, 2010 **End Date:** October 31, 2013
(must match resolution)

Funding Source: Tax Dollars 100% County

Contractor Federal I.D. No./
Social Security No.: 13-3450017

State Aid _____

\$384,000.00 **Federal Aid** _____
(must match resolution)

Vendor No.: _____

Other _____

Encumbrance No.: _____