

14082

**TO:** Board of Acquisition and Contract

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

**DATE:** September 15, 2010

**SUBJECT:** Resolution to Award to the Sole Bidder  
Contract No. **10-214**  
Restoration of Primary Sludge Piping – Phase II  
Yonkers Wastewater Treatment Plant  
Yonkers, New York  
**Contractor:** Spectrum Painting Corp. (WBE)  
**Amount:** \$29,000.00

On August 25, 2010, one (01) bid was received and opened for Contract No. 10-214 for Restoration of Primary Sludge Piping – Phase II, Yonkers Wastewater Treatment Plant, Yonkers, New York.

Only one (01) contractor submitted a bid because the project requires special experience along with manufacturers' certifications to install the specified high performance coatings. The Department has canvassed potential bidders and there are a limited number of contractors who are certified 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 19 entities on the HVM website. In addition, e-mails were sent to those 19 entities and to an additional 87 suppliers and contractors. This contract is crucial to maintain the plant's operations.

The bids were reviewed by the Department and it was determined that Spectrum Painting Corp. (WBE) submitted the sole bid in the amount of \$29,000.00.

The low bidder has been investigated and it has been found that Spectrum Painting Corp. (WBE):

- 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 provide a protective coating to stop the deterioration of the primary sludge pipes.

This contract is in the public's best interest because it will promote the health and safety of the general public by insuring that the plant's operations meet all safety regulations, thus addressing the County Executive's priority area: Safety and Security (SS).

This project will provide an environmental benefit by utilizing a low Volatile Organic Compound coating system.

This Department will track scheduling and accomplishments by the contractor and perform on-site inspections to ensure the successful completion of this project.

It is my recommendation that Contract No. 10-214 be awarded to Spectrum Painting Corp. (**WBE**) in the amount of \$29,000.00, subject to appropriations.

This resolution has been reviewed by the Law Department.

JA/

APPROVED BOARD OF ACQUISITION & CONTRACT - 9-30-2010 - JOMARY VIEIRA, SECRETARY

# RESOLUTION

## CONTRACT NO. 10-214

Upon communication from the Commissioner of Public Works, be it

**RESOLVED**, that Contract No. 10-214 for Restoration of Primary Sludge Piping – Phase II, Yonkers Wastewater Treatment Plant, Yonkers, New York be and is hereby awarded to the sole bidder, Spectrum Painting Corp. (WBE), 200 Summerfield Street, Scarsdale, New York 10583, in the amount of \$29,000.00; 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
	221	60	0110-0141	4310		\$29,000.00

**Budget Funding Years** 2010 **Start Date:** October 21, 2010 **End Date:** December 20, 2011  
(must match resolution)

**Funding Source:** **Tax Dollars** 100% County **Contractor Federal I.D. No./**  
**State Aid** \_\_\_\_\_ **Social Security No.:** \_\_\_\_\_  
\$29,000.00 **Federal Aid** \_\_\_\_\_ **Vendor No.:** \_\_\_\_\_  
(must match resolution) **Other** \_\_\_\_\_ **Encumbrance No.:** \_\_\_\_\_