

14434

DATE: October 4, 2010

TO: Board of Acquisition and Contract

FROM: Edward Buroughs
Acting Commissioner of Planning

SUBJECT: Resolution authorizing an Agreement between the County of Westchester and Linear Environmental Corporation, for Lead-Based Paint Hazard Control Activities throughout Westchester County.

Authority is hereby requested for the County of Westchester to award contract number C-LSW-10-198 for lead based paint hazard control activities throughout Westchester County to Linear Environmental Corporation ("Linear") as a secondary contractor in the amount of \$180,000.00 for a term beginning October 22, 2010 and ending February 15, 2012. Funding will be through the Lead Safe Westchester Program and approximately fifteen (15) units will be cleared of lead-based paint hazards. Linear shall only provide such services when Krutown Construction Corporation (the lowest bidder/primary contractor) is unable to provide services within 10 days.

In accordance with the section 103 of the New York State General Municipal Law and section 161.11(2) of the Laws of Westchester County, a Bid Solicitation by public advertisement was issued. The bids were opened on August 25, 2010. As noted in the resolution approved by your Honorable Board on February 18, 2010 seeking authority to solicit bids, the bid would solicit one or more EPA certified contractors to be used to provide the work. Due to the volume of the work, the County was planning on awarding several contractors based on pricing. The lowest bidder would be the primary contractor and the next lowest would be the secondary contractor, who would be utilized in the event that the primary contractor is unable to provide the services and a third contractor was contemplated, if the first two were unable to provide services. Fourteen potential contractors downloaded the documents necessary to respond to the bid. However, only two (2) contractors responded to the bid, Krutown Construction Corporation and Linear Environmental Corporation. The bids were reviewed by the Department and it was determined that Krutown Construction was the lowest responsible bidder and that Linear Environmental Corporation submitted the second low bid in the amount of \$355,750.00. The primary contract was awarded to Krutown Construction by resolution adopted by your Honorable Board on October 14, 2010. We now request authority to award a contract to Linear as a secondary contractor in order to assure that the County has the capacity to complete the units in accordance with its agreement with HUD. Linear Environmental Corporation will be requested to provide lead abatement services only when Krutown Construction Corporation (the lowest bidder) is unable to provide services within 10 days.

Linear Environmental Corporation has performed previous work with the County. They previously provided all services in the 2007 rehabilitation agreement in accordance with industry standards and contractual requirements. They successfully completed all work in a timely and professional manner. They cleared lead-based paint hazards from more than 350 units under this agreement, as confirmed by the Westchester County Department of Planning staff which has reviewed the services provided by Linear

and are satisfied with the quality of this contractor's work. In this new agreement, Linear Environmental Corporation will conduct lead based paint reduction services for approximately fifteen (15) units of residential housing in Westchester County. The lead abatement services will be provided to low income residents. We anticipate Linear Environmental Corporation will successfully accomplish all service goals established for this year.

The agreement will serve the public purpose of protecting the public health and promoting fiscal responsibility.

The goal and objective of this agreement is to reduce and control the lead paint existing in various residential properties in Westchester County. The agreement exhibits fiscal responsibility by securing non-County taxpayer resources. The program will be monitored by the Department of Planning staff, which will inspect the remediated properties for the quality of improvements prior to approving payments.

On December 30, 2009, the Board of Acquisition and Contract approved a resolution authorizing the County of Westchester to enter into a grant agreement with the U.S. Department of Housing & Urban Development's office of Healthy Homes & Lead Hazard Control totaling \$1,150,000.00 to reduce lead-based paint hazards in Westchester County.

I recommend approval of this agreement.

EB/cp
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 10-21-2010 - JOMARY VILAS SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE ACTING COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED, that contract number C-LSW-10-198 for lead based paint hazard control activities throughout Westchester County be and hereby is awarded to Linear Environmental Corporation as a secondary contractor in the amount of \$180,000.00 for a term beginning October 22, 2010 and ending February 15, 2012. Linear shall only provide such services when Krutown Construction Corporation (the lowest bidder/primary contractor) is unable to provide services within 10 days. Funding will be through the Lead Safe Westchester Program and approximately fifteen (15) units will be cleared of lead-based paint hazards, and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate purposes hereof.

Recommended for Approval:

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Revenue/ Sub Object	Trust Account	Dollars
263	19	638K	4380	T638	\$180,000.00

Budget Funding Year(s) 2010 Start Date October 22, 2010 End Date February 15, 2012
(must match resolution)

Funding Source Tax Dollars _____
State Aid _____

\$180,000.00 Federal Aid \$180,000.00 - U.S. Department of Housing and Urban Development
(must match resolution) Other _____