

18027

TO: Board of Acquisition and Contract

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

DATE: March 23, 2011

SUBJECT: Resolution to Award to the Second Low Bidder
Contract No. 10-505
Exterior Repairs
Vernon Plaza Family Center
17 South Second Avenue
Mount Vernon, New York

Contractor: DiMarino Brothers Contracting, Inc.
Amount: \$41,000.00

On February 23, 2011, fifteen (15) bids were received and opened for Contract No. 10-505 for Exterior Repairs, Vernon Plaza Family Center, 17 South Second Avenue, Mount Vernon, New York.

The apparent low bidder, Paradise Construction Company, LLC, notified the County that it had made an unintentional omission of a substantial quantity of labor; specifically, Paradise Construction Company, LLC's bid did not reflect current prevailing wage rates in the amount of \$17,908.00, which is a justifiable reason to allow it to withdraw its bid of \$23,786.00. The Department of Law has concurred, that based on the facts as presented, Paradise Construction Company, LLC can withdraw its bid.

Therefore, it is requested that the bid submitted by Paradise Construction Company, LLC be deemed withdrawn and that Contract No. 10-505 be awarded to the second low bidder, DiMarino Brothers Contracting, Inc. in the amount of \$41,000.00.

The bids were reviewed by the Department and it was determined that DiMarino Brothers Contracting, Inc. submitted the low bid in the amount of \$41,000.00.

The low bidder has been investigated and it has been found that DiMarino Brothers Contracting, Inc.:

- 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 weather tightness of the existing structure by eliminating future damage due to water infiltration resulting in more costly repairs, thus addressing the County Executive's priority area: Fiscal Responsibility (FR).

This contract is in the public's best interest because it will extend the life of the existing structure. There are no energy or environmental components associated with this project.

The 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. 10-505 be awarded to DiMarino Brothers Contracting, Inc. in the amount of \$41,000.00.

This resolution has been reviewed by the Law Department.

JA/

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-7-2011 - JOMARY VIEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 10-505

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, on February 23, 2011, fifteen (15) bids were received and opened for Contract No. 10-505 for Exterior Repairs, Vernon Plaza Family Center, 17 South Second Avenue, Mount Vernon, New York; and

WHEREAS, the apparent low bidder, Paradise Construction Company, LLC, made an unintentional omission of a substantial quantity of labor, and therefore has requested that its bid proposal of \$23,786.00 be withdrawn; and

WHEREAS, the second lowest bidder, DiMarino Brothers Contracting, Inc., complied with all bid specifications; now, therefore, be it

RESOLVED, that due to an unintentional omission of a substantial quantity of labor Paradise Construction Company, LLC be permitted to withdraw its bid submitted on February 23, 2011 for Contract No. 10-505 in the amount of \$23,786.00; and be it further

RESOLVED, that Contract No. 10-505 for Exterior Repairs, Vernon Plaza Family Center, 17 South Second Avenue, Mount Vernon, New York be and is hereby awarded to DiMarino Brothers Contracting, Inc., 149 South MacQuesten Parkway, Mount Vernon, New York 10550, in the amount of \$41,000.00; and be it further

RESOLVED, that this contract is subject to County appropriations; 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
	320	22	BSS1002S	6210-99		\$41,000.00

Budget Funding Year(s) 2011 **Start Date:** April 21, 2011 **End Date:** June 20, 2012
(must match resolution)

Funding Source: **Tax Dollars** 100% County

Contractor Federal I.D. No./
Social Security No.: _____

State Aid _____

\$41,000.00
(must match resolution) **Federal Aid** _____

Vendor No.: _____

Other _____

Encumbrance No.: _____