

20406

TO: Board of Acquisition and Contract

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

DATE: July 14, 2011

SUBJECT: Resolution to Award to the Low Bidder
Contract No. **11-209**
Emergency Generator Service
Various Locations
Westchester County, New York
Contractor: Peak Power Systems, Inc.
Amount: \$248,807.61

On June 8, 2011, two (02) bids were received and opened for Contract No. 11-209 for Emergency Generator Service, Various Locations, Westchester County, New York.

Two (02) contractors submitted a bid for this project. The project was advertised on the Hudson Valley Municipal Purchasing Group ("HVM") website, in addition to the Journal News (Southern Edition), and was viewed by twenty two (22) entities on the HVM website. In addition, e-mails were sent to those twenty two (22) entities and to an additional twenty six (26) suppliers and contractors.

The bids were reviewed by the Department and it was determined that Peak Power Systems, Inc. submitted the low bid in the amount of \$248,807.61.

The low bidder has been investigated and it has been found that Peak Power Systems, 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 vital life safety systems.

This contract is in the public's best interest because it will promote the health and safety of the general public by providing a safe and code compliant work environment at various County facilities in the event of a power failure, thus addressing the County Executive's priority area: Safety and Security (SS). There are no energy or environmental components associated with this project.

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. 11-209 be awarded to Peak Power Systems, Inc. in the amount of \$248,807.61, subject to appropriations.

Payment for a portion of this contract will be made from the Airport Special Revenue Fund, not the County General Fund and will not impact the County tax levy.

This resolution has been reviewed by the Law Department.

JA/

APPROVED BOARD OF ACQUISITION & CONTRACTS - 07/28/2011 - JOHANN VITTA, SECRETARY

RESOLUTION

CONTRACT NO. 11-209

Upon communication from the Commissioner of Public Works and Transportation, be it

RESOLVED, that Contract No. 11-209, for Emergency Generator Service, Various Locations, Westchester County, New York be and is hereby awarded to the low bidder, Peak Power Systems, Inc., 99 Sprague Avenue, Middletown, New York 10940, in the amount of \$248,807.61; 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		\$ 3,720.38 (2011)
	101	46	3300	4380		\$ 400.24 (2011)
	101	46	3400	4380		\$25,630.01 (2011)
	161	44	4110	4380		\$ 4,805.98 (2011)
	101	46	3200	4380		\$ 8,928.91 (2012)
	101	46	3300	4380		\$ 960.58 (2012)
	101	46	3400	4380		\$61,512.03 (2012)
	161	44	4110	4380		\$11,534.35 (2012)
	101	46	3200	4380		\$ 8,928.91 (2013)
	101	46	3300	4380		\$ 960.58 (2013)
	101	46	3400	4380		\$61,512.03 (2013)
	161	44	4110	4380		\$11,534.35 (2013)
	101	46	3200	4380		\$ 5,208.53 (2014)
	101	46	3300	4380		\$ 560.34 (2014)
	101	46	3400	4380		\$35,882.02 (2014)
	161	44	4110	4380		\$ 6,728.37 (2014)

Budget Funding Year(s) 2011-2014
(must match resolution)

Start Date: August 1, 2011

End Date: July 31, 2014

Funding Source: Tax Dollars \$214,204.56 County

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

State Aid _____

\$248,807.61
(must match resolution)

Federal Aid _____
Airport Special

Vendor No.: _____

Other \$ 34,603.05 Revenue Fund

Encumbrance No.: _____