

21157

TO: Board of Acquisition and Contract
FROM: John J. Hsu, P.E.
Commissioner of Public Works and Transportation
DATE: August 17, 2011
SUBJECT: Resolution to Award to the Second Low Bidder
Contract No. **10-563**
Roof Coating – Operations Building
35 Woods Road
Valhalla Campus
Valhalla, New York
Contractor: A & J Construction of N.Y., Inc.
Amount: \$299,000.00

On July 6, 2011, eight (08) bids were received and opened for Contract No. 10-563 for Roof Coating – Operations Building, 35 Woods Road, Valhalla Campus, Valhalla, New York.

The apparent low bidder, Sea Breeze General Construction, Inc., notified the County that it had made an unintentional omission of a substantial quantity of labor and materials. Specifically, Sea Breeze General Construction, Inc.'s bid did not reflect the correct costs for the provision of temporary facilities, scraping and painting of steel columns, and, application of the specified roof coating system in the amount of \$120,000.00, which is a justifiable reason to allow it to withdraw its bid of \$231,000.00. The Department of Law has concurred, that based on the facts as presented, Sea Breeze General Construction, Inc., can withdraw its bid.

Therefore, it is requested that the bid submitted by Sea Breeze General Construction, Inc., be deemed withdrawn and that Contract No. 10-563 be awarded to the second low bidder, A & J Construction of N.Y., Inc., in the amount of \$299,000.00.

The bids were reviewed by the Department and it was determined that A & J Construction of N.Y., Inc. submitted the low bid in the amount of \$299,000.00.

The low bidder has been investigated and it has been found that A & J Construction of N.Y., 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 Operations Building.

This contract is in the public's best interest because it will extend the life of the existing structure. There are no environmental or energy 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. 10-563 be awarded to A & J Construction of N.Y., Inc. in the amount of \$299,000.00.

This resolution has been reviewed by the Law Department.

JA/

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
05/08/2011 JOMARY VIEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 10-563

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, On July 6, 2011, eight (08) bids were received and opened for Contract 10-563 for Roof Coating – Operations Building, 35 Woods Road, Valhalla Campus, Valhalla, New York; and

WHEREAS, the apparent low bidder, Sea Breeze General Construction, Inc., made an unintentional omission of a substantial quantity of labor and materials, and therefore has requested that its bid proposal of \$231,000.00 be withdrawn; and

WHEREAS, the second lowest bidder, A & J Construction of N.Y., Inc., complied with all bid specifications; now, therefore, be it

RESOLVED, that due to an unintentional omission of a substantial quantity of labor and materials Sea Breeze General Construction, Inc. be permitted to withdraw its bid submitted on July 6, 2011 for Contract 10-563 in the amount of \$231,000.00; and be it further

RESOLVED, that Contract No. 10-563 for Roof Coating – Operations Building, 35 Woods Road, Valhalla Campus, Valhalla, New York be and is hereby awarded to, A & J Construction of N.Y., Inc., 163 Foxwood Road, West Nyack, New York 10994, in the amount of \$299,000.00; 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
	346	46	B042A03C	6210-99		\$299,000.00

Budget Funding Year(s) 2011 **Start Date:** September 15, 2011 **End Date:** December 14, 2012
(must match resolution)

Funding Source: Tax Dollars 100% County

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

State Aid _____

\$299,000.00
(must match resolution)

Federal Aid _____

Vendor No.: _____

Other _____

Encumbrance No.: _____