

Robert P. Astorino
County Executive

Department of Environmental Facilities

Thomas J. Lauro, P.E.
Commissioner

22859

DATE: November 04, 2011

TO: Board of Acquisition and Contract

FROM: Thomas J. Lauro, P.E.
Commissioner, Department of Environmental Facilities

RE: **Authorization to amend a resolution dated January 21, 2010 authorizing a contract with Unity Mechanical Corporation (the "Contract") to include the County's option to extend the contract for one additional two-year term and to authorize the extension of the Contract for the additional two-year term commencing February 1, 2012**

A resolution was approved on 1/21/10 that authorized the County to enter into a contract with Unity Mechanical Corporation ("Unity"), low bidder, for Boiler Maintenance and Repairs at three wastewater treatment plants in Westchester County for a two-year period. The Bid specification specified that the County would have the option to extend the contract for one additional two-year period based on the terms and conditions specified in the bid document. The cover letter of the 1/21/10 resolution also referenced the option; however the resolution did not reference the option. Therefore approval is requested to amend the 1/21/10 resolution to include the two year option extension.

During the term of the original contract, Unity has provided satisfactory service to the County. Accordingly, authority is also requested to exercise the County's option to extend the Unity contract for the additional two-year period in the amount of \$179,060.00, as provided for in the original bid document.

Approval of the attached resolution is respectfully requested.

TJL/dm
Attachment

RESOLUTION

Upon a communication from the Commissioner of Environmental Facilities, be it hereby

RESOLVED: the resolution dated January 21, 2010 authorizing a contract with Unity Mechanical Corporation (the "Contract") for Boiler Maintenance and Repairs at three wastewater treatment plants in Westchester County for a two-year period is hereby amended to include the County's option to extend the contract for one additional two-year period; and be it further

RESOLVED: the County is authorized to extend the Unity Contract for one additional two-year term commencing February 1, 2012 at a cost not to exceed \$179,060.00 as provided in the bid document; and be it further

RESOLVED: All other terms of the Unity contract shall remain the same; and be it further

RESOLVED: that this contract extension is subject to annual 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 budget of the State of New York and/or the adoption of the State Budget or any amendments thereto, and after the County has a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of 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 such 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 duly authorized designee is hereby authorized to execute any and all instruments and take all actions necessary to accomplish the purpose hereof.

Account to be Charged/Credited	Major Program, Program & Phase		Object/ Sub Object	Trust Account	Dollars
	Fund	Dept Or Unit			
2012	221	60 0110	4380-99		\$82,070.00
2013	221	60 0110	4380-99		\$89,530.00
2014	221	60 0110	4380-99		\$7,460.00

Budget Funding Year(s) 2012-2014 Start Date 02/01/2012 End Date 01/31/2014
(must match resolution)

Funding Source Tax Dollars 100% County
State Aid _____
Federal Aid _____
Other _____

\$179,060.00
(must match resolution)