

29631

**TO:** Board of Acquisition and Contract

**FROM:** Jay T. Pisco, P.E.  
Commissioner of Public Works and Transportation

**DATE:** October 2, 2012

**SUBJECT:** Emergency Resolution to Award Contract No. 12-237  
Emergency Steel Repairs and Related Work  
Fulton Avenue Drawbridge (BIN #3348220) over the Hutchinson River  
City of Mount Vernon and Village of Pelham Manor, New York  
**Contractor:** Arben Group LLC  
**Amount:** \$384,633.00

On August 30, 2012, during the regularly scheduled meeting of your Honorable Board, Commissioner Jay T. Pisco, P.E., notified the Board of an emergency situation involving the Fulton Avenue Drawbridge over the Hutchinson River in the City of Mount Vernon and the Village of Pelham Manor.

The Commissioner advised that due to red flag conditions associated with the deterioration of bridge steel in eight (8) locations that were identified by the New York State Department of Transportation during the 2012 bridge inspection, the County must address this issue immediately or the bridge would have to be closed to traffic. The conditions identified at the bridge constitute a public emergency affecting public property, as well as having life, health and safety consequences as closure of this bridge will cause delays in police, ambulance and fire response times.

It is imperative to complete this emergency work immediately in order to restore the bridge to its normal operation and to re-open the bridge to emergency service vehicles and the traveling public.

In accordance with the emergency contracting procedures utilized since April 8, 2002, the Department of Public Works and Transportation immediately prepared documents to solicit bids from responsible contractors on the County's Emergency Contractor List and requested bids from five (5) contractors on that list. Four (4) contractors attended the site inspection and submitted bids. Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 submitted the low bid in the amount of \$384,633.00.

Funds for this project are available in the:

Capital Budget  
 Non-Recurring Budget  
 Operating Budget

The objective of this contract is to enable those repairs that are necessary to restore the bridge to its normal operation and to re-open the bridge to emergency service vehicles and the traveling public.

The department will track scheduling and accomplishments by the contractor and perform on-site inspections to ensure the successful completion of this project.

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Therefore, it is requested that your Honorable Board grant authorization for the Commissioner of Public Works and Transportation to enter into an emergency contract with Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 for a total cost not-to-exceed \$384,633.00.

This Resolution has been reviewed by the Law Department.

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/04/2012 - JOMAR VIEIRA, SECRETARY

# RESOLUTION

## CONTRACT NO. 12-237

Upon communication from the Commissioner of Public Works and Transportation,

**WHEREAS**, an emergency condition developed involving the deterioration of bridge steel in eight (8) locations on the Fulton Avenue Drawbridge resulting in red flag conditions that must be corrected immediately; now, therefore, be it

**RESOLVED**, that Contract No. 12-237 for Emergency Steel Repairs and Related Work, Fulton Avenue Drawbridge (BIN 3348220) over the Hutchinson River, City of Mount Vernon and Village of Pelham Manor, New York be and is hereby awarded to the low bidder, Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 in the amount of \$384,633.00; and be it further

**RESOLVED**, that the retention of 10 percent of all contractor payments by the County instead of the normal 5 percent retention shall be deemed adequate and sufficient security for the full and faithful performance of this work in lieu of a performance bond; 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
	366	46	RB2UU00C	6210-99		\$384,633.00

**Budget Funding Year(s)** 2012      **Start Date:** October 5, 2012      **End Date:** October 4, 2013  
(must match resolution)

**Funding Source:**      **Tax Dollars** 100% County      **Contractor Federal I.D. No./**  
**State Aid** \_\_\_\_\_ **Social Security No.:** \_\_\_\_\_

\$384,633.00      **Federal Aid** \_\_\_\_\_      **Vendor No.:** \_\_\_\_\_  
(must match resolution)

**Other** \_\_\_\_\_      **Encumbrance No.:** \_\_\_\_\_