

30522

TO: Board of Acquisition and Contract

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

DATE: November 20, 2012

SUBJECT: Resolution to Award to the Second Low Bidder
Contract No. **12-523**
Terminal Facilities Lighting Upgrade
Westchester County Airport
Towns of Harrison and North Castle and Village of Rye Brook, New York
Contractor: Foremost Electric Corporation
Amount: \$314,300.00

On September 12, 2012, four (4) bids were received and opened for Contract No. 12-523 for Terminal Facilities Lighting Upgrade, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York.

The apparent low bidder, ADCO Electrical Corporation, notified the County that it had made an unintentional omission of a substantial quantity of labor and materials. Specifically, ADCO Electrical Corporation omitted the General Contracting portion of the project from its base bid in the amount of \$28,000.00, which is a justifiable reason to allow it to withdraw its bid of \$249,419.00. The Department of Public Works and Transportation has performed a detailed analysis of ADCO Electrical Corporation's bid to verify the validity of this error. The Department of Law has concurred, that based on the facts as presented, ADCO Electrical Corporation can withdraw its bid.

Therefore, it is requested that the bid submitted by ADCO Electrical Corporation be deemed withdrawn and that Contract No. 12-523 be awarded to the second low bidder, Foremost Electric Corporation in the amount of \$314,300.00.

The bids were reviewed by the Department and it was determined that Foremost Electric Corporation submitted the low bid in the amount of \$314,300.00.

The low bidder has been investigated and it has been found that Foremost Electric Corporation:

- 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 convert the Terminal Building lighting to energy efficient lamp fixtures.

This contract is in the public's best interest because it will promote the health and safety of the general public by maintaining proper lighting levels while providing an energy savings by reducing energy consumption, thus addressing the County Executive's priority area: Fiscal Responsibility (FR).

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. 12-523 be awarded to Foremost Electric Corporation in the amount of \$314,300.00.

Payment for this entire 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.

APPROVED BOARD OF ACQUISITION & CONTRACTS - 12/15/2012 - SOMARY NEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 12-523

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, on September 12, 2012, four (4) bids were received and opened for Contract 12-523 for Terminal Facilities Lighting Upgrade, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York; and

WHEREAS, the apparent low bidder, ADCO Electrical Corporation, made an unintentional omission of a substantial quantity of labor and materials, and therefore has requested that its bid proposal of \$249,419.00 be withdrawn; and

WHEREAS, the second lowest bidder, Foremost Electric Corporation, complied with all bid specifications; now, therefore, be it

RESOLVED, that due to an unintentional omission of a substantial quantity of labor and materials ADCO Electrical Corporation be permitted to withdraw its bid submitted on September 12, 2012 for Contract 12-523 in the amount of \$249,419.00; and be it further

RESOLVED, that Contract No. 12-523 for Terminal Facilities Lighting Upgrade, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York be and is hereby awarded to Foremost Electric Corporation, 37 Old Albany Post Road, Ossining, New York 10562, in the amount of \$314,300.00; 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
	361	44	A083A03C	6210-99		\$314,300.00

Budget Funding Year(s) 2012 **Start Date:** December 27, 2012 **End Date:** September 26, 2014
(must match resolution)

Funding Source: **Tax Dollars** _____
 State Aid _____
 Federal Aid _____
 Other 100% Airport Special Revenue Fund

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

Vendor No.: _____
Encumbrance No.: _____

\$314,300.00
(must match resolution)