

32782

TO: Board of Acquisition and Contract

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

DATE: March 12, 2013

SUBJECT: Resolution to Award to the Low Bidder
Contract No. 12-230
Environmental Testing and Monitoring Services
Various County Facilities
Westchester County, New York
Contractor: Environmental Management Solutions of NY Inc.
Amount: \$301,050.00

On January 9, 2013, seven (7) bids were received and opened for Contract No. 12-230 for Environmental Testing and Monitoring Services, Various County Facilities, Westchester County, New York.

The bids were reviewed by the Department and it was determined that Environmental Management Solutions of NY Inc. submitted the low bid in the amount of \$301,050.00.

The low bidder has been investigated and it has been found that Environmental Management Solutions of NY 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 provide required New York State Department of Labor testing and monitoring services for the identification and removal of hazardous materials from County facilities.

This contract is in the public's best interest because it will promote the health and safety of the general public by providing for a safe and healthy environment at various County facilities, thus addressing the County Executive's priority area: Health and the Environment (HE).

This project will provide an environmental benefit by removing hazardous materials which will eliminate the possibility of future contamination.

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.

This contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County.

It is my recommendation that Contract No. 12-230 be awarded to Environmental Management Solutions of NY Inc. in the amount of \$301,050.00, subject to appropriations.

APPROVED BOARD OF ACQUISITION & CONTRACTS 04/04/2013 JOMARY VIEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 12-230

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

RESOLVED, that Contract No. 12-230 for Environmental Testing and Monitoring Services, Various County Facilities, Westchester County, New York be and is hereby awarded to the low bidder, Environmental Management Solutions of NY Inc., 23 State Street, Ossining, New York 10562, in the amount of \$301,050.00; and be it further

RESOLVED, that as set forth in the Contract No. 12-230 bid specifications this contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County; 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 | 3200/3400 | 4380 | | \$ 66,900.00 (2013) |
| | | | TO BE DETERMINED | | | \$100,350.00 (2014) |
| | | | TO BE DETERMINED | | | \$100,350.00 (2015) |
| | | | TO BE DETERMINED | | | \$ 33,450.00 (2016) |

File Price Contract. Price to be paid by user Department

Budget Funding Year(s) 2013-2016 **Start Date:** May 1, 2013 **End Date:** April 30, 2016
(must match resolution)

Funding Source: **Tax Dollars** 100% County
State Aid _____
\$301,050.00 **Federal Aid** _____
(must match resolution) **Other** _____

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

Vendor No.: _____
Encumbrance No.: _____