

**33931**

**TO:** Board of Acquisition and Contract

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

**DATE:** May 9, 2013

**SUBJECT:** Resolution to Award to the Sole Bidder  
Contract No. **EF-1209**  
Overhaul of Gas Booster Compressors at Yonkers Joint Wastewater Treatment Plant,  
Westchester County, New York  
**Contractor:** Scales Industrial Technologies, Inc.  
**Contract Amount:** \$556,764.00

On May 1, 2013, one (1) bid was received and opened for Contract No. EF-1209 for the Overhaul of Gas Booster Compressors at Yonkers Joint Wastewater Treatment Plant, Westchester County, New York as follows:

Base Bid: \$556,764.00  
Base Bid w/Add Alternate 1: \$812,646.00

Note: DEF is proceeding with Base Bid work only.

In accordance with County policy, the project advertisement for bids was published in the legal notices section of The Journal News and it was posted on the Empire State Purchasing Group ("ESPG") website. Online records from the ESPG website indicate that this project notification was sent to 45 area suppliers and contractors and the project link was viewed by 14 entities.

The department held a Pre-bid Inspection for interested parties at the project site on 4/16/2013, which was attended by representatives from three (3) firms.

Although we only received one (1) bid for this project, we feel the pricing offered is fair and reasonable for the following reasons:

- This is specialty-type work that involves detailed knowledge of our existing gas booster compressors. The low bidder, Scales Industrial Technologies, is an authorized service repair contractor by the equipment manufacturer (Gardner Denver).
- Before the bid opening date, the department received preliminary estimates from Scales and another firm; both price proposals were comparable and consistent with the bid price received on 5/1/2013.
- All new parts required for the work must be original equipment manufacturer (OEM) so there are limited means for contractors to make substitutions. Also, the work must be performed in

an outside repair facility that has equipment and apparatus needed to complete the specified testing procedures. Very few firms have the ability to perform this work in the New York metropolitan area so we do not believe re-bidding the work would attract additional bidders or result in lower bid prices.

The bid package was reviewed by the Department, and it was determined that Scales Industrial Technologies Inc. submitted a complete and responsible bid in the amount of \$556,764.00. The Contract is for one (1) year (starting date - 06/10/2013 and a completion date of 06/09/2014).

The project is within our Engineer's Estimate and as discussed above, I recommend award of this contract now rather than rebidding the project.

The sole bidder has been investigated and it has been found that Scales Industrial Technologies, Inc.

- has performed satisfactory work in the past for the County.  
 Past experience has been investigated and found satisfactory.

The overhauling of compressors will assist the County in recovering from damage to key equipment systems caused by Superstorm Sandy. Longer term, rebuilt compressors will help eliminate any emergency breakdowns and increase the time in service before replacement will be required. Restoring each compressor to its optimum performance will enable the desired objective for increased process efficiency. Department representatives will track and monitor the overhauling of compressors and receive signed service reports which will be submitted with payment requests. The Contractor will be responsible to comply with all applicable regulations and industry standards.

Issuing this contract is fiscally responsible because the specialized tools, equipment and materials needed to perform the work are not readily available and it would be more costly for DEF personnel to procure these items independently. A specialty contractor who is regularly engaged in similar type of compressor rehabilitation work has the necessary manpower, training and equipment resources to cost effectively perform the work.

This Contract is deemed to fulfill a public purpose as the services provided under this Contract protect the building and facilities owned by the County of Westchester and enable the Department to carry out its basic mission to provide wastewater treatment and maintaining satisfactory water quality.

It is my recommendation that Contract No. EF-1209 be awarded to Scales Industrial Technologies Inc. in the amount of \$556,764.00, subject to County appropriations.

A proposed form of Resolution is attached.

# RESOLUTION

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

**RESOLVED**, that Contract No. EF-1209 for Overhaul of Gas Booster Compressors at Yonkers Joint Wastewater Treatment Plant, Westchester County, New York for a period of one (1) year be and is hereby awarded to the sole bidder, Scales Industrial Technologies, Inc., 110 Voice Road, Carle Place, NY 11514 in the amount of \$556,764.00, subject to the adoption of the Operating Budget; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement 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 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
	322	60	SY043-01-S	6210		\$556,764

**Budget Funding Year (s)** 2013-2014 Start Date: 06/10/2013 End Date: 06/09/2014

<b>Funding Source:</b>	Tax dollars <u>100% County</u>	<b>Contractor -</b>
	State Aid <u>-0-</u>	<b>Federal I.D. No.</b>
	Federal Aid <u>-0-</u>	
	Other <u>-0-</u>	
<u>\$556,764</u>		

(Must match resolution)