

35981

**TO:** Board of Acquisition and Contract

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

**DATE:** September 17, 2013

**SUBJECT:** Resolution to Award to the Low Bidder  
Contract No. **13-213**  
Grinding Out Coping Stone Joints and Repointing on all Buildings – Phase II  
Port Chester Wastewater Treatment Plant  
Port Chester, New York

**Contractor:** Bagiana Construction Inc.  
**Amount:** \$47,904.00

On August 21, 2013, nine (9) bids were received and opened for Contract No. 13-213 for Grinding Out Coping Stone Joints and Repointing on all Buildings – Phase II, Port Chester Wastewater Treatment Plant, Port Chester, New York.

The bids were reviewed by the Department and it was determined that Bagiana Construction Inc. submitted the low bid in the amount of \$47,904.00.

The low bidder has been investigated and it has been found that Bagiana Construction 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 repair structural elements and to maintain the weather tightness of the existing structures at the Port Chester Wastewater Treatment Plant, thus addressing the County Executive's priority area: Safety and Security (SS).

This contract is in the public's best interest because it will extend the life of the existing structure. There are no energy or environmental components associated with this project.

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. 13-213 be awarded to Bagiana Construction Inc. in the amount of \$47,904.00.

# RESOLUTION

## CONTRACT NO. 13-213

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

**RESOLVED**, that Contract No. 13-213 for Grinding Out Coping Stone Joints and Repointing on all Buildings – Phase II, Port Chester Wastewater Treatment Plant, Port Chester, New York be and is hereby awarded to the low bidder, Bagiana Construction Inc., 94-37, 212<sup>th</sup> Street, Floor 1, Queens Village, New York 11428, in the amount of \$47,904.00; 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
	221	60	0110/0171	4310		\$47,904.00

**Budget Funding Year(s)** 2013      **Start Date:** October 24, 2013      **End Date:** May 23, 2015  
(must match resolution)

**Funding Source:**      **Tax Dollars** 100% County  
**State Aid** \_\_\_\_\_  
\$47,904.00      **Federal Aid** \_\_\_\_\_  
(must match resolution)      **Other** \_\_\_\_\_

**Contractor Federal I.D. No./ Social Security No.:** \_\_\_\_\_  
**Vendor No.:** \_\_\_\_\_  
**Encumbrance No.:** \_\_\_\_\_