

46321

TO: Board of Acquisition and Contract

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

DATE: April 21, 2015

SUBJECT: Resolution to Award to the Second Low Bidder
Contract No. **15-200**
Guide Railing Replacement
Bronx River Parkway and Various County Roadways
Westchester County, New York
Contractor: Central Industries, Inc. (*WBE*)
Amount: \$579,384.00

On February 11, 2015, three (3) bids were received and opened for Contract No. 15-200 for Guide Railing Replacement, Bronx River Parkway and Various County Roadways, Westchester County, New York, whereby Globe Fence & Railings Inc. submitted the apparent low bid in the amount of \$491,385.00. Pursuant to New York General Municipal Law Section 105 and the bid specifications, since the requisite forty-five (45) day period for a bidder to hold its bid price expired, Globe Fence & Railings Inc. notified the County on April 1, 2015 that it could no longer hold its bid price.

Therefore, it is requested that the bid submitted by Globe Fence & Railings Inc. be deemed withdrawn and that Contract No. 15-200 be awarded to the apparent second low bidder, Central Industries, Inc., in the amount of \$579,384.00.

Central Industries, Inc. has been investigated and it has been found that Central Industries, 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
 Other (Special Account)

The objective of this contract is to replace damaged railings and posts.

This contract is in the public's best interest because it will promote the health and safety of the general public by meeting American Association of State Highway Transportation Officials (AASHTO) standards for highway safety, thus addressing the County Executive's priority area: Safety and Security (SS).

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.

Payment for this contract will be made from a special account. The funds have been collected from automobile insurance companies by the Office of Risk Management; thus there will be no impact on the County tax levy.

It is my recommendation that Contract No. 15-200 be awarded to Central Industries, Inc. in the amount of \$579,384.00.

This resolution has been reviewed by the Law Department.

APPROVED BOARD OF ACQUISITION & CONTRACT 03/14/2015 - 5 PM RY VIEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 15-200

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, on February 11, 2015, three (3) bids were received and opened for Contract 15-200 for Guide Railing Replacement, Bronx River Parkway and Various County Roadways, Westchester County, New York; and

WHEREAS, the apparent low bidder, Globe Fence & Railings Inc., declined to hold its bid price beyond the requisite forty-five (45) day period for a bidder to hold its bid price and therefore has requested that its bid proposal of \$491,385.00 be withdrawn; and

WHEREAS, the second lowest bidder, Central Industries, Inc., complied with all bid specifications; now, therefore, be it

RESOLVED, that pursuant to New York General Municipal Law Section 105 and the bid specifications, it has been determined that since the requisite forty-five (45) day period for a bidder to hold its bid price expired and Globe Fence & Railings Inc. notified the County that it could no longer hold its bid price, that Globe Fence & Railings Inc. be permitted to withdraw its bid submitted on February 11, 2015 for Contract No. 15-200 in the amount of \$491,385.00; and be it further

RESOLVED, that Contract No. 15-200 for Guide Railing Replacement, Bronx River Parkway and Various County Roadways, Westchester County, New York, be and is hereby awarded to Central Industries, Inc., 142 Gailmore Drive, Yonkers, New York 10710, in the amount of \$579,384.00; and be it further

RESOLVED, that as set forth in the Contract No. 15-200 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 contract 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

RESOLUTION

CONTRACT NO. 15-200

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	Revenue	Trust Account	Dollars
	263	46	513Q	9613		\$112,658.00 (2015)
	263	46	513R	9613		\$193,128.00 (2016)
	263	46	513S	9613		\$193,128.00 (2017)
	263	46	513T	9613		\$ 80,470.00 (2018)

Budget Funding Year(s): 2015-2018
(must match resolution)

Start Date: June 1, 2015

End Date: May 31, 2018

Funding Source: Tax Dollars

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

State Aid _____

\$579,384.00
(must match resolution)

Federal Aid _____

Vendor No.: _____

Other 100% Special Account

Encumbrance No.: _____