

61759

TO: Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E.
Commissioner of Environmental Facilities

DATE: February 27, 2018

SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement (# EF-1805) with Rotork Controls, Inc. for the provision of inspection and maintenance services, including parts, for the existing motorized valve operators located at the New Rochelle Water Resource Recovery Facility, in a total amount not to exceed \$58,127.00 to be paid in accordance with contract prices for a term commencing April 1, 2018 and terminating March 31, 2019. The contract includes an option to extend the contract for two (2) additional one year terms by mutual consent of the contractor and the County of Westchester with all prices, terms and conditions remaining the same as the original contract.

Transmitted herewith is a resolution requesting authority for the County of Westchester (the "County"), acting through and by its Department of Environmental Facilities (the "Department") to enter into an agreement with Rotork Controls, Inc., ("Rotork") for the provision of inspection and maintenance services, including required parts, for the existing motorized valve operators (total of 172) located at the New Rochelle Water Resource Recovery Facility ("NRWRRF") for an amount not to exceed \$53,127.00, plus an additional \$5,000.00 for parts and services in the event of unforeseen repairs or maintenance, for a total contract amount not-to-exceed \$58,127.00, to be paid in accordance with contract prices. The Agreement will be for a term of one (1) year commencing April 1, 2018 and terminating March 31, 2019, with an option to extend the contract for two (2) additional one year terms by mutual consent of the contractor and the County of Westchester with all prices, terms and conditions remaining the same as the original contract.

Rotork is the sole source for the provision of parts and maintenance services for the motorized valve operators at the NRWRRF. The motorized valve operators are designed with a patented proprietary technology and Rotork is the only authorized company with the patented parts and knowledge to perform this work.

Pursuant to Section 9 of the Westchester County Procurement Policy and procedures, and after reasonable investigation, it has been determined that Rotork is the only practicable source for the provision of these services. Rotork is also the sole provider of parts that would be used in such maintenance of the

motorized valve operators (total of 172) at the NRWRRF. I hereby recommend to your Honorable Board that this procurement be treated as a sole source procurement.

The goals and objectives of the Contract are to obtain the services of sole source contractor who has the equipment and manpower resources available to undertake the maintenance services of existing motorized valve operators located at the NRWRRF.

This contract is in the public's best interest because valve operator maintenance is critical to the operation of the water resource recovery facility equipment and also for the Biological Nitrogen Removal treatment system which ensures the proper operation of the NRWRRF to meet nitrogen removal permitted levels. During the term of the Contract, the Department of Environmental Facilities representatives will track and monitor the required repairs and the Contractor will be responsible to comply with such regulations and make sure that all applicable regulations, safety precautions and codes are followed.

As I believe this agreement to be in the best interests of the County, I most respectfully urge your Honorable Board to approve the attached resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2019
MICA/PA/SECRETARY

RESOLUTION

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

RESOLVED, that County of Westchester is hereby authorized to enter into an agreement with Rotork Controls, Inc., (“Rotork”) for the provision of inspection and maintenance services for the existing motorized valve operators (total of 172) located at the New Rochelle Water Resource Recovery Facility for an amount not to exceed \$53,127.00, plus an additional \$5,000.00 for parts and services in the event of unforeseen repairs or maintenance, for a total contract amount not-to-exceed \$58,127.00, to be paid in accordance with contract prices, and be it further

RESOLVED, that the agreement shall be for a term of one (1) year, commencing April 1, 2018 and terminating March 31, 2019, with an option to extend the contract for two (2) additional one year terms by mutual consent of the contractor and the County of Westchester with all prices, terms and conditions remaining the same as the original contract; and be it further

RESOLVED, that this procurement is deemed to be a sole source procurement; 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.

Agreement No. EF-1805

Account to be Charged/Credited:

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars	
221	60	0110	4380		\$43,595	2018
221	60	0110	4380		\$14,532	2019

Budget Funding Year(s): 2018-19 Start Date: April 1, 2018 End Date: March 31, 2019

Funding Source

\$58,127
(must match resolution)

Tax Dollars: \$58,127
State Aid _____
Federal Aid _____
Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2018 - LISA MRIJAJ, SECRETARY