

TO: Board of Acquisition and Contract

FROM: John J. Hsu, P.E.
Acting Commissioner of Public Works

DATE: April 15, 2010

SUBJECT: Resolution to Award to the Sole Bidder
Contract No. 10-200
Countywide Maintenance Service For Fire Alarm Systems
Various Locations
Westchester County, New York
Contractor: SimplexGrinnell LP
Amount: \$709,815.00

On March 17, 2010, one (01) bid was received and opened for Contract No. 10-200 for Countywide Maintenance Service For Fire Alarm Systems, Various Locations, Westchester County, New York.

Only one (01) contractor submitted a bid because the project requires special testing equipment and experience along with manufacturers' certifications to perform inspections, preventive maintenance and emergency call back services for fire alarm systems located at various County facilities. The Department has canvassed potential bidders and there are a limited number of contractors who are both certified and equipped to perform this type of specialty work. This project was advertised on the Hudson Valley Municipal Purchasing Group ("HVM") website, in addition to the Journal News (Southern Edition), and was viewed by 30 entities on the HVM website. In addition, e-mails were sent to those 30 entities and to an additional 41 suppliers and contractors. This contract is crucial in maintaining Fire Alarm Systems for continuous and uninterrupted operation.

The original amount of SimplexGrinnell LP's bid was \$714,990.00 which was subsequently renegotiated down to \$709,815.00 in order to fall within the County's budgeted amount for this project. In accordance with the law, the renegotiated amount does not decrease, in any way, the scope of work set forth in the bid specification.

The bids were reviewed by the Department and it was determined that SimplexGrinnell LP submitted the sole bid in the amount of \$709,815.00.

The sole bidder has been investigated and it has been found that SimplexGrinnell LP:

- 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 maintain vital life safety systems.

This contract is in the public's best interest because it will promote the health and safety of the general public by providing a safe and code compliant work environment at various County facilities, thus addressing the County Executive's priority area: Safety and Security (SS). There are no energy or environmental components associated with this project.

If this resolution is not approved, potential disruptions of fire alarm systems would require costly emergency repairs. Additionally, per code, the County would be required to provide an around-the-clock fire watch until the fire alarm system is restored.

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.

It is my recommendation that Contract No. 10-200 be awarded to SimplexGrinnell LP in the amount of \$709,815.00, subject to appropriations.

This resolution has been reviewed by the Law Department.

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-29-2010 - JONARY VIEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 10-200

Upon communication from the Acting Commissioner of Public Works, be it

RESOLVED, that Contract No. 10-200 for Countywide Maintenance Service For Fire Alarm Systems, Various Locations, Westchester County, New York be and is hereby awarded to the sole bidder, SimplexGrinnell LP, 12 Jeanne Drive, Newburgh, New York 12550 in the amount of \$709,815.00; 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.

APPROVED BOARD OF ACQUISITION & CONTRACTS
CONTRACT NO. 10-200
SUMARY VIEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 10-200

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3200	4380		\$32,256.38 (2010)
	101	46	3300	4380		\$15,635.38 (2010)
	101	46	3400	4380		\$46,493.88 (2010)
	101	46	6500	4380		\$ 1,825.18 (2010)
	165	42	5540	4380		\$ 2,210.84 (2010)
	221	60	0110	4380		\$19,880.84 (2010)
	101	46	3200	4380		\$64,512.76 (2011)
	101	46	3300	4380		\$31,270.76 (2011)
	101	46	3400	4380		\$92,987.76 (2011)
	101	46	6500	4380		\$ 3,650.36 (2011)
	165	42	5540	4380		\$ 4,421.68 (2011)
	221	60	0110	4380		\$39,761.68 (2011)
	101	46	3200	4380		\$64,512.76 (2012)
	101	46	3300	4380		\$31,270.76 (2012)
	101	46	3400	4380		\$92,987.76 (2012)
	101	46	6500	4380		\$ 3,650.36 (2012)
	165	42	5540	4380		\$ 4,421.68 (2012)
	221	60	0110	4380		\$39,761.68 (2012)
	101	46	3200	4380		\$32,256.38 (2013)
	101	46	3300	4380		\$15,635.38 (2013)
	101	46	3400	4380		\$46,493.88 (2013)
	101	46	6500	4380		\$ 1,825.18 (2013)
	165	42	5540	4380		\$ 2,210.84 (2013)
	221	60	0110	4380		\$19,880.84 (2013)

Budget Funding Year(s) 2010-2013 **Start Date:** July 1, 2010 **End Date:** June 30, 2013
(must match resolution)

Funding Source: Tax Dollars 100% County

Contractor Federal I.D. No./
Social Security No.: 58-2608861

State Aid _____

\$709,815.00
(must match resolution)

Federal Aid _____

Vendor No.: _____

Other _____

Encumbrance No.: _____