

95047

TO: Honorable Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

DATE: July 28, 2022

SUBJECT: Resolution to Award Emergency Contract No. 21-201 to Mace Contracting Corporation (**MBE**) for Emergency Protective Ceiling Tile at the Department of Emergency Services, Fire Training Center, Grasslands Campus, Valhalla, New York in an amount not to exceed \$79,723.17.

The attached Resolution is being submitted pursuant to the Emergency Declaration that was submitted to your Honorable Board on January 6, 2021.

The fireproof ceiling tiles in a class "A" burn pod, also known as the Smoke House, at the Fire Training Center, which is capable of handling behavior burn training necessary to complete the NYS OFPC Fire Fighter I A course, had fallen off, exposing concrete spalling. During the initial phase of construction, the Department of Public Works and Transportation's engineers closely inspected the damage to the building and the structure under the tile and found significant structural repairs were needed.

As a result, the contractor was provided direction to replace sections of the concrete slab ceiling/floor between the two floors of the two story building. The work included demolition of the existing slab, construction of a new steel reinforced slab and installation of high temperature fire lining tile.

As also noted in the Emergency Declaration, the Department of Public Works and Transportation (the "Department"), following its standard emergency contract protocols, selected the firm of Mace Contracting Corporation, a MBE firm, 35 Portman Road, New Rochelle, New York 10801 to perform Contract 21-201, Emergency Protective Ceiling Tile, Department of Emergency Services, Fire Training Center, Grasslands Campus, Valhalla, New York. The emergency work performed under this contract included all necessary labor, material and equipment required for replacement and repair of the concrete slab, protective tile and exterior brick parapet repairs.

The total cost of the work is \$79,723.17. The Department has reviewed Mace Contracting Corporation's invoice, monitored the work and determined that the costs are consistent with similar items of work on other County Projects.

Funds for this project are available in the:

- Capital Budget
- Non-Recurring Budget
- Operating Budget

This emergency contract is in the public's best interest to protect the public health, safety, and security of the Fire Training Center.

This Emergency Contract Award has been reviewed by the Law Department and a proposed form of Resolution is attached hereto for your approval.

It is my recommendation that Emergency Contract No. 21-201 be awarded Mace Contracting Corporation in the amount of \$79,723.17.

HJG/esk

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/04/2022 - RAYMOND SCULLEY, SECRETARY

RESOLUTION

CONTRACT NO. 21-201

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

RESOLVED, that the County of Westchester (“County”) is authorized to enter into Contract No. 21-201 for Emergency Protective Ceiling Tile, Department of Emergency Services, Fire Training Center, Grasslands Campus, Valhalla, New York, with Mace Contracting Corporation, a MBE firm, 35 Portman Road, New Rochelle, New York 10801 in the amount not to exceed \$79,723.17; 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	Bond Act No.	Dollars
	101	20	1000	4310	N/A	\$79,723.17

Budget Funding Year(s): 2021 Start Date: January 8, 2021 End Date: May 31, 2021
 (must match resolution)

Funding Source: Tax Dollars 100% County
 State Aid _____
\$79,723.17 Federal Aid _____
 (must match resolution) Other _____