

21515

TO: Board of Acquisition and Contract

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

DATE: September 7, 2011

SUBJECT: Resolution to Award to the Second Low Bidder
Contract No. 09-519
Rehabilitation of Palmer Road and Access Ramps (C.R. 9, 33II and 33III) and
Rehabilitation of Palmer Road Bridge over Central Park Avenue (BIN 3347930)
City of Yonkers, New York

Contractor: PCI Industries Corp.
Amount: \$4,637,011.50

On August 17, 2011, eight (08) bids were received and opened for Contract No. 09-519 for Rehabilitation of Palmer Road and Access Ramps (C.R. 9, 33II and 33III) and Rehabilitation of Palmer Road Bridge over Central Park Avenue (BIN 3347930), City of Yonkers, New York.

The apparent low bidder, Petrillo Contracting, Inc., promptly notified the County that it had made an unintentional omission of a substantial quantity of work and labor; specifically, the item for "Removal of Steel Supported Structural Slab (Without Shear Connectors)" was inadvertently bid at \$1.00 per square foot instead of \$100.00 per square foot. This resulted in an error in the amount of \$619,245.00, which is a justifiable reason to allow it to withdraw its bid of \$3,725,000.00. The Department of Law has concurred that, based on the facts as presented, Petrillo Contracting, Inc., can withdraw its bid.

Therefore, it is requested that the bid submitted by Petrillo Contracting, Inc., be deemed withdrawn and that Contract No. 09-519 be awarded to the second low bidder, PCI Industries Corp. in the amount of \$4,637,011.50.

The bids were reviewed by the Department and it was determined that PCI Industries Corp. submitted the low bid in the amount of \$4,637,011.50.

The low bidder has been investigated and it has been found that PCI Industries Corp.:

- 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 upgrade substandard bridge components along with the replacement of substandard areas of asphalt paving and concrete sidewalks, thus addressing the County Executive's priority area: Safety and Security (SS).

This contract is in the public's best interest because it will promote the health and safety of the general public by ensuring that County bridges and roadways meet current codes and standards as well as reducing the County's annual maintenance costs. There are no environmental or energy 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 09-519 be awarded to PCI Industries Corp., in the amount of \$4,637,011.50.

This resolution has been reviewed by the Law Department.

APPROVED BOARD OF ACQUISITION & CONTRACTS - 09/29/2011 - JOMAR VEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 09-519

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, on August 17, 2011, eight (08) bids were received and opened for Contract No. 09-519 for Rehabilitation of Palmer Road and Access Ramps (C.R. 9, 33II and 33III) and Rehabilitation of Palmer Road Bridge over Central Park Avenue (BIN 3347930), City of Yonkers, New York; and

WHEREAS, the apparent low bidder, Petrillo Contracting, Inc., made an unintentional omission of a substantial quantity of work and labor, and therefore has requested that its bid proposal of \$3,725,000.00 be withdrawn; and

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

RESOLVED, that due to an unintentional omission of a substantial quantity of labor and materials, Petrillo Contracting, Inc. be permitted to withdraw its bid submitted on August 17, 2011 for Contract No. 09-519 in the amount of \$3,725,000.00; and be it further

RESOLVED, that Contract No. 09-519 for Rehabilitation of Palmer Road and Access Ramps (C.R. 9, 33II and 33III) and Rehabilitation of Palmer Road Bridge over Central Park Avenue (BIN 3347930), City of Yonkers, New York be and is hereby awarded to PCI Industries Corp., 550 Franklin Avenue, Mount Vernon, New York 10550, in the amount of \$4,637,011.50; 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
	366	46	RB03A00C	6210-99		\$3,014,057.50
	366	46	RB10200C	6210-99		\$1,622,954.00

Budget Funding Year(s) 2011 **Start Date:** October 12, 2011 **End Date:** October 11, 2013
(must match resolution)

Funding Source: **Tax Dollars** 100% County

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

State Aid _____

\$4,637,011.50 **Federal Aid** _____
(must match resolution)

Vendor No.: _____

Other _____

Encumbrance No.: _____