

25138

**TO:** Board of Acquisition and Contract

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

**DATE:** February 24, 2012

**SUBJECT:** Resolution to Award to the Low Bidder  
Contract No. **BOE 12-01**  
2012 Primary, Special and General Election Moving Services and  
Storage of Handicapped Accessibility Equipment,  
Zone 1 – Cortlandt, Ossining, Peekskill, Somers and Yorktown  
**Contractor:** Whalen's Moving & Storage Co., LLC  
**Amount:** \$26,876.20

On February 1, 2012, two (2) bids were received and opened for Contract No. BOE 12-01 for 2012 Primary, Special and General Election Moving Services and Storage of Handicapped Accessibility Equipment, Zone 1 – Cortlandt, Ossining, Peekskill, Somers and Yorktown.

Two (2) contractors submitted bids for this project. The project was advertised on the Hudson Valley Municipal Purchasing Group ("HVM") website, in addition to the Journal News (Southern Edition), and was viewed by six (6) entities on the HVM website. In addition, e-mails were sent to those six (6) entities and to an additional eighteen (18) suppliers and contractors.

The bids were reviewed by the Department and it was determined that Whalen's Moving & Storage Co., LLC submitted the low bid in the amount of \$26,876.20.

The low bidder has been investigated and it has been found that Whalen's Moving & Storage Co., LLC:

- 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 public purpose, as well as the goal and objective of this contract, is to allow the Board of Elections to carry out its statutory duties in connection with all upcoming 2012 Primary, Special and General Elections and to ensure that all eligible County residents have the opportunity to exercise their right to vote.

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. BOE 12-01 be awarded to Whalen's Moving & Storage Co., LLC in the amount of \$26,876.20, subject to appropriations.

This resolution has been reviewed by the Law Department.

# RESOLUTION

## CONTRACT NO. BOE 12-01

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

**RESOLVED**, that Contract No. BOE 12-01 for 2012 Primary, Special and General Election Moving Services and Storage of Handicapped Accessibility Equipment, Zone 1 – Cortlandt, Ossining, Peekskill, Somers and Yorktown be and is hereby awarded to the low bidder, Whalen's Moving & Storage Co., LLC, 39 Kiskon Avenue, Mount Kisco, New York 10549, in the amount of \$26,876.20; 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	Trust Account	Dollars
	101	14	1000	4380		\$26,876.20

**Budget Funding Year(s)** 2012      **Start Date:** April 1, 2012      **End Date:** December 31, 2012  
(must match resolution)

**Funding Source:**      **Tax Dollars** 100% County  
**State Aid** \_\_\_\_\_  
**Federal Aid** \_\_\_\_\_  
**Other** \_\_\_\_\_

**Contractor Federal I.D. No./**  
**Social Security No.:** \_\_\_\_\_  
**Vendor No.:** \_\_\_\_\_  
**Encumbrance No.:** \_\_\_\_\_

\$26,876.20  
(must match resolution)