

26464

TO: Board of Acquisition and Contract

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

DATE: April 23, 2012

SUBJECT: Subcontractor Approval
Contract No. 10-507
Terminal Building Modifications – Phase I
Enclosure of Observation Deck for Office Space
Westchester County Airport
Towns of Harrison and North Castle and Village of Rye Brook, New York

Contractor: Piazza, Inc.

Subcontractor(s): Mengler Mechanical, Inc.

On December 15, 2011 your Honorable Board approved a Resolution to award Contract No. 10-507 for Terminal Building Modifications – Phase I, Enclosure of Observation Deck for Office Space, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York to Piazza, Inc. (“Piazza”), 3 West Stevens Avenue, Hawthorne, New York 10532. This Resolution also approved Piazza’s utilization of the following subcontractor: Joe Lombardo Plumbing and Heating of Rockland, Inc. (“Lombardo”), 321 Spook Rock Road, Suffern, New York 10901 for the performance of heating, ventilation and air conditioning (“HVAC”) work on the project.

Subsequent to the approval of said Resolution, Piazza requested a change in the HVAC subcontractor. Piazza has demonstrated a legitimate construction need for such change as defined in General Municipal Law Section 101(5) since Lombardo was unwilling to perform the subcontract between Piazza and Lombardo as a result of Lombardo’s unwillingness to agree to Piazza’s standard contract terms and conditions.

Therefore, Piazza has requested the approval of Mengler Mechanical, Inc. (“Mengler”) to perform the HVAC work in connection with the above referenced contract.

The proposed subcontractor, Mengler, has been investigated and the Department of Public Works and Transportation recommends approval.

Resolution to accomplish the foregoing is attached.

This Resolution has been reviewed by the Law Department.

RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, on December 15, 2011, your Honorable Board approved a Resolution to award Contract No. 10-507 for Terminal Building Modifications – Phase I, Enclosure of Observation Deck for Office Space, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York to Piazza, Inc. (“Piazza”), 3 West Stevens Avenue, Hawthorne, New York 10532; and

WHEREAS, pursuant to the award Resolution dated December 15, 2011, your Honorable Board approved Piazza’s utilization of the following subcontractor: Joe Lombardo Plumbing and Heating of Rockland, Inc. (“Lombardo”), 321 Spook Rock Road, Suffern, New York 10901 for the performance of heating, ventilation and air conditioning (“HVAC”) work; and

WHEREAS, subsequent to the approval of the aforesaid Resolution, Piazza requested a change in the HVAC subcontractor; and

WHEREAS, Piazza has demonstrated a legitimate construction need for such change as defined in General Municipal Law Section 101(5) since Lombardo was unwilling to perform the subcontract between Piazza and Lombardo as a result of Lombardo’s unwillingness to agree to Piazza’s standard contract terms and conditions; and

WHEREAS, it has been determined that Lombardo is unable to perform the subcontract between Piazza and Lombardo as a result of Lombardo’s unwillingness to agree to Piazza’s standard contract terms and conditions; now, therefore, be it

RESOLVED, that upon the recommendation of the Department of Public Works and Transportation, the following listed Subcontractor on Contract No. 10-507 between the County of Westchester and Piazza, Inc., 3 West Stevens Avenue, Hawthorne, New York 10532 for Terminal Building Modifications – Phase I, Enclosure of Observation Deck for Office Space, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York is approved for the performance of HVAC work:

SUBCONTRACTOR(S)

Mengler Mechanical, Inc.
Putnam Business Park
1689 Route 22
Brewster, New York 10509

WORK TO BE DONE

HVAC Work

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	361	44	A083A00C	6210-99		

Budget Funding Year(s) 2012
(must match resolution)

Start Date: December 29, 2011 **End Date:** September 28, 2013

Funding Source: **Tax Dollars** _____

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

State Aid _____

Federal Aid _____
(must match resolution)

Vendor No.: _____

Other 100% Airport Special Revenue Fund

Encumbrance No.: _____