

26628

**TO:** Board of Acquisition and Contract

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

**DATE:** May 1, 2012

**SUBJECT:** Resolution to Award to the Sole Bidder  
Contract No. 12-208  
Service Contract for Sanitary Sewer Line Maintenance  
Various Locations  
Westchester County, New York  
**Contractor:** Fred A. Cook, Jr., Inc.  
**Amount:** \$109,500.00

On March 14, 2012, two (2) bids were received and opened for Contract No. 12-208 for Service Contract for Sanitary Sewer Line Maintenance, Various Locations, Westchester County, New York.

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 thirty six (36) entities on the HVM website. In addition, e-mails were sent to those thirty six (36) entities and to an additional one hundred seventy seven (177) suppliers and contractors.

The apparent low bidder, TAM Enterprises, Inc., did not meet the contractual requirement for a Westchester County Department of Health Septage Collection Permit and was deemed non-responsive by the County.

The bids were reviewed by the Department and it was determined that Fred A. Cook, Jr., Inc. submitted the sole bid in the amount of \$109,500.00.

The sole bidder has been investigated and it has been found that Fred A. Cook, Jr., Inc.:

- 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 provide for the continued operation of sanitary sewer lines at Valhalla Campus, White Plains Complex and various locations throughout Westchester County.

This contract is in the public's best interest because it will promote the health and safety of the general public by ensuring the continued reliability of sanitary sewer systems along with reducing the County's annual maintenance costs.

This project addresses the County Executive's priority area Health and the Environment (HE), by preventing future sewage leaks.

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.

This contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County.

It is my recommendation that Contract No. 12-208 be awarded to Fred A. Cook, Jr., Inc. in the amount of \$109,500.00, subject to appropriations.

This resolution has been reviewed by the Law Department.

APPROVED BOARD OF ACQUISITION & CONTRACTS - 5/24/2012 - JOMAR VIEIRA, SECRETARY

# RESOLUTION

## CONTRACT NO. 12-208

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

**RESOLVED**, that Contract No. 12-208 for Service Contract for Sanitary Sewer Line Maintenance, Various Locations, Westchester County, New York be and is hereby awarded to the sole bidder, Fred A. Cook, Jr., Inc., 3226 Albany Post Road, Buchanan, New York 10511, in the amount of \$109,500.00; and be it further

**RESOLVED**, that as set forth in the Contract No. 12-208 bid specifications this contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County; 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	46	3400	4380		\$10,646.00 (2012)
	101	46	3300	4380		\$ 4,258.00 (2012)
	101	46	3200	4380		\$ 6,388.00 (2012)
	101	46	3400	4380		\$18,250.00 (2013)
	101	46	3300	4380		\$ 7,300.00 (2013)
	101	46	3200	4380		\$10,950.00 (2013)
	101	46	3400	4380		\$18,250.00 (2014)
	101	46	3300	4380		\$ 7,300.00 (2014)
	101	46	3200	4380		\$10,950.00 (2014)
	101	46	3400	4380		\$ 7,604.00 (2015)
	101	46	3300	4380		\$ 3,042.00 (2015)
	101	46	3200	4380		\$ 4,562.00 (2015)

**Budget Funding Year(s)** 2012-2015      **Start Date:** June 1, 2012      **End Date:** May 31, 2015  
(must match resolution)

**Funding Source:**      **Tax Dollars** 100% County      **Contractor Federal I.D. No./**  
**State Aid** \_\_\_\_\_ **Social Security No.:** \_\_\_\_\_

\$109,500.00      **Federal Aid** \_\_\_\_\_ **Vendor No.:** \_\_\_\_\_  
(must match resolution)      **Other** \_\_\_\_\_ **Encumbrance No.:** \_\_\_\_\_