

27069

**TO:** Board of Acquisition and Contract

**FROM:** Thomas J. Lauro, P.E.  
Commissioner of Environmental Facilities

**DATE:** May 22, 2012

**SUBJECT:** Resolution to Award to the Low Bidder  
Contract No. **EF-1204**  
Service, Repair and Replacement of Small Air Conditioning  
Systems (Less than 80 tons)  
Various Locations  
Westchester County, New York  
**Contractor:** Power Cooling Inc.  
**Amount:** \$142,760.00

On May 16, 2012, six (06) bids were received and opened for Contract No. EF-1204 for the Service, Repair and Replacement of Small Air Conditioning Systems (Less than 80 tons) at various locations of the Department of Environmental Facilities ("DEF"), Westchester County, New York. After review by the Department, it was determined that Power Cooling Inc., submitted the low bid in the amount of \$142,760.00. Funds for this project are available in the Operating Budget. The Contract is for a two (2) year duration starting on 06/21/2012 with an end date of 06/20/2014. The contract includes an option to extend the contract for one (1) additional two year term by mutual consent of the contractor and the County of Westchester with all prices, terms and conditions remaining the same as the original contract.

The project is within our Engineer's Estimate and we recommend award.

The low bidder has been investigated and it has been found that Power Cooling Inc.

       has performed satisfactory work in the past for the County.  
  X   Past experience has been investigated and found satisfactory.

The goals and objectives of the Contract are to obtain the services of a specialized contractor who has the prior experience and training to ensure proper functioning of the air conditioning equipment. The Service Provider will provide repair and replacement services when requested and when directed by the County. Operating this equipment at peak efficiency with minimal breakdowns is critical to extending equipment life and protecting DEF infrastructure. After each site visit, a written service report will be generated by the Contractor, which will be signed off by a DEF maintenance superintendent and will serve as verification that the work was performed. These service reports are to be submitted with each payment request. Signed verification by DEF is for payment and tracking purposes only and in no way relieves contractual responsibility from the Contractor for completing the work as described in the Contract Documents. The Contractor will be responsible to comply with all applicable regulations and industry standards.

Issuing this contract to inspect, maintain and service the air conditioning equipment is fiscally responsible and promotes the safety and work environment of department employees. It will help to extend the operating life of the equipment, ensuring the operations are per the manufacturer's recommendations, and will help to prevent hazards due to improper operation of equipment. In addition to lower operating costs, regular maintenance has been proven to extend the overall life of the equipment, thereby pushing replacement costs further into the future. If this resolution is not approved, there would be the likelihood for more frequent and larger repair services and a shorter life cycle of equipment systems. In addition, if plant cooling is interrupted, there is potential for damage to various electronic and control systems that are costly to repair.

The firm that is awarded this contract will perform inspection and preventive maintenance and the work will be performed by qualified service personnel who have the specialized training, tools and testing equipment to work on air conditioning systems. By utilizing the field reports, DEF will better be able to gauge when major upgrades or capital improvements are needed, and can plan accordingly.

This Contract is deemed to fulfill a public purpose as the services provided under this Contract protect the building and facilities owned by the County of Westchester and enable the Department to carry out its basic mission to provide wastewater treatment and maintaining satisfactory water quality.

It is my recommendation that Contract No. EF-1204 be awarded to Power Cooling Inc. in the amount of \$142,760.00 subject to County appropriations.

A proposed form of Resolution is attached.

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION - JONATHAN M. BERRY, SECRETARY

# RESOLUTION

Upon communication from the Commissioner of the Department of Environmental Facilities, be it hereby

**RESOLVED**, that Contract No. EF-1204 for the Service, Repair and Replacement of Small Air Conditioning Systems (Less than 80 tons) at various locations, Westchester County, New York for a period of two (2) years with an option to extend for one (1) additional two year term by mutual consent of the Contractor and the County of Westchester with all prices, terms and conditions remaining the same as the original contract is hereby awarded to the lowest responsible bidder, Power Cooling Inc., 43-43 Vernon Blvd, Long Island City, NY 11101 in the amount of \$142,760.00, subject to the adoption of the Operating Budget; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement 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 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
2012		221	60	0110	4380-99		\$37,672.00
2013		221	60	0110	4380-99		\$71,380.00
2014		221	60	0110	4380-99		\$33,708.00

**Budget Funding Year (s)** 2012-2014 Start Date: 06/21/2012 End Date: 06/20/2014

<b>Funding Source:</b>	Tax dollars <u>100% County</u>	<b>Contractor -</b>	
	State Aid <u>-0-</u>	<b>Federal I.D. No.</b>	
	Federal Aid <u>-0-</u>		
	Other <u>-0-</u>		

\$142,760.00  
(Must match resolution)