

29841

**TO:** Board of Acquisition and Contract

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

**DATE:** October 16, 2012

**SUBJECT:** Resolution to Award to the Low Bidder  
Contract No. 12-233  
New Perimeter Concrete Flood Wall  
Weaver Street Pump Station  
Mamaroneck, New York  
**Contractor:** DiMarino Brothers Contracting, Inc.  
**Amount:** \$53,525.00

On September 26, 2012, thirteen (13) bids were received and opened for Contract No. 12-233 for New Perimeter Concrete Flood Wall, Weaver Street Pump Station, Mamaroneck, New York.

The bids were reviewed by the Department and it was determined that DiMarino Brothers Contracting, Inc. submitted the low bid in the amount of \$53,525.00.

The low bidder has been investigated and it has been found that DiMarino Brothers Contracting, 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 a new flood wall around the below grade Weaver Street Pump Station to protect the station's electronic systems.

This contract is in the public's best interest because it will promote the health and safety of the general public by ensuring that the pump station's operations meet all safety regulations, thus addressing the County Executive's priority area: Safety and Security (SS). There are no energy or environmental 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. 12-233 be awarded to DiMarino Brothers Contracting, Inc. in the amount of \$53,525.00.

# RESOLUTION

## CONTRACT NO. 12-233

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

**RESOLVED**, that Contract No. 12-233 for New Perimeter Concrete Flood Wall, Weaver Street Pump Station, Mamaroneck, New York be and is hereby awarded to the low bidder, DiMarino Brothers Contracting, Inc., 149 South MacQuesten Parkway, Mount Vernon, New York 10550, in the amount of \$53,525.00; 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
	221	60	0110-0071	4310		\$53,525.00

**Budget Funding Year(s)** 2012      **Start Date:** November 29, 2012      **End Date:** July 28, 2014  
(must match resolution)

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

**Contractor Federal I.D. No./**

**Social Security No.:** \_\_\_\_\_

**State Aid** \_\_\_\_\_

\$53,525.00      **Federal Aid** \_\_\_\_\_

**Vendor No.:** \_\_\_\_\_

(must match resolution)

**Other** \_\_\_\_\_

**Encumbrance No.:** \_\_\_\_\_