

37811

TO: Board of Acquisition and Contract

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

DATE: January 13, 2014

SUBJECT: Award Resolution to the Sole Bidder
Contract No. **EF-1308**
Boiler Maintenance and Repairs at Three (3) Wastewater Treatment Plants
Westchester County, New York

Contractor: Unity Mechanical Corporation
Amount: \$189,106.00

On January 8, 2014, one (1) bid was received and opened for Contract No. EF-1308 for Boiler Maintenance and Repairs at three (3) Wastewater Treatment Plants (Peekskill, Port Chester and Yonkers), Westchester County, New York. Unity Mechanical Corporation submitted the sole bid in the amount of \$189,106.00. Funds for this project are available in the Operating Budget. The Contract is for 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.

Although only one bid was received, the Department believes the pricing is fair and reasonable and should be awarded to Unity Mechanical Corp. This new contract will replace an expiring contract with an almost identical scope of work. We compared the itemized pricing from the new contract with the expiring contract and found very similar unit costs. The overall cost increased by approximately \$10,000 in the new contract, an increase of 5.6% since the project was last bid in 2009.

The Department called other qualified local firms in an effort to attract more bidders; however, there are a limited number of specialty contractors that can perform this type of work. In accordance with County policy, the project advertisement for bids was published in the legal notices section of The Journal News and it was posted on the Empire State Purchasing Group ("ESPG") website. Online records from the ESPG website indicate that this project notification was sent to 159 companies and contractors and the project link was viewed by 22 firms. In addition the department held a pre-bid Inspection for interested parties at the project site on 12/23/2013, which was attended by two (2) firms.

We noted the work required in this contract, namely performing yearly maintenance and on-call services, requires trained service personnel who have the background, experience and knowledge to work on the various types of boilers at County facilities. There are a total of 14 boilers in three locations that are to be maintained as part of this contract. Unity Mechanical has performed work on County boilers through previous maintenance and service contracts and the Department and has been very satisfactory with their services.

Performing yearly maintenance and service on boilers is important to maintain the equipment in peak operating condition. It is respectfully requested that this contract be awarded to Unity Mechanical in the amount of \$189,106.

The sole bidder has been investigated and it has been found that Unity Mechanical Corporation:

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

The goals and objectives of the contract are to obtain services which will allow the Department to maintain 3 treatment plants boilers, assuring proper operation and safety, and to function properly at peak efficiency with minimal breakdowns. During the two year term of the contract, Department representatives will track and monitor the required preventive maintenance, and necessary repairs using written service reports which will be signed by Maintenance Superintendents. These service reports are to be submitted with each payment request. The Contractor will be responsible to comply with all applicable regulations and codes.

Issuing a contract for preventive maintenance is fiscally responsible because it will ensure the boilers are operating at their optimum levels, with no leaks or wasted energy inputs. Having qualified service personnel check the units at regular intervals will reduce the likelihood of needing emergency repairs, which are more costly than preventive maintenance services. In addition to lowering operating costs, regular maintenance has been proven to extend the overall life of the equipment, thereby pushing replacement costs further into the future. The boilers supply heat to buildings and equipment systems throughout the plant so it is vitally important to regularly maintain this infrastructure. If plant heating is interrupted, there is potential for pipes freezing and other problems that are costly to repair.

The firm that is awarded this contract will perform the preventive maintenance prior to each heating season, when the equipment systems can be safely taken off-line. Further, the work will be performed by qualified service personnel, who have the specialized training, tools and testing equipment to work on pressurized vessels. By utilizing the comprehensive test 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 Department of Environmental Facilities and enable the Department to carry out its basic mission to provide wastewater treatment and maintain satisfactory water quality. The term of this contract is for a period of two (2) consecutive years, subject to appropriations.

It is my recommendation that Contract No. EF-1308 be awarded to Unity Mechanical Corporation in the amount of \$189,106.00, subject to County appropriations.

A proposed form of Resolution is attached.

RESOLUTION

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

RESOLVED, that Contract No. EF-1308 for the Boiler Maintenance and Repairs at three (3) Wastewater Treatment Plants (Peekskill, Port Chester and Yonkers), 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 sole responsible bidder, Unity Mechanical Corporation, 11 Bill Horton Way, Wappingers Falls, NY 12590 in the amount of \$189,106.00, 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
2014		221	60	0110	4380		\$ 86,674
2015		221	60	0110	4380		\$94,553
2016		221	60	0110	4380		\$7,879

Budget Funding Year (s) 2014-2016 Start Date: 02/01/2014 End Date: 01/31/2016

Funding Source: **Tax dollars** \$189,106 **Contractor -**
 State Aid _____ **Federal I.D. No.** _____
 Federal Aid _____
 Other _____

\$189,106.00

(Must match resolution)