



REGINALD A. LAFAYETTE  
Commissioner  
Fax 914-995-7753  
JEANNIE L. PALAZOLA  
Deputy Commissioner

25 Quarropas Street  
White Plains, NY 10601  
914-995-5700  
www.westchestergov.com/boe

DOUGLAS A. COLETY  
Commissioner  
Fax 914-995-3190  
NANCY E. MEEHAN  
Deputy Commissioner

**46215**

**TO:** Board of Acquisition and Contract

**FROM:** Reginald A. LaFayette & Douglas A. Colety  
Commissioners of the Board of Elections

**DATE:** April 17, 2015

**SUBJECT:** Resolution to Award to the Low Bidder  
Contract No. BOE 15-07  
2015 and 2016 Primary, Special and General Election Moving Services of Voting Machines,  
Supply Bags and Privacy Booths between the County Warehouse and Various Polling  
Place Locations in Westchester County. Zone 1 - Cortlandt, Ossining, Peekskill, Somers  
and Yorktown  
**Contractor:** Whalen's Moving & Storage Co., LLC  
**Amount:** \$124,036.50

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On April 8, five (5) bids were received and opened for Contract No. BOE 15-07 for 2015 and 2016 Primary, Special and General Election Moving Services of Voting Machines, Supply Bags and Privacy Booths between the County Warehouse and Various Polling Place Locations in Westchester County. Zone 1 - Cortlandt, Ossining, Peekskill, Somers and Yorktown.

The bids were reviewed by the County Board of Elections and it was determined that Whalen's Moving & Storage Co., LLC, submitted the low bid in the amount of \$124,036.50.

The low bidder has been investigated and it has been found that Whalen's Moving & Storage Co., LLC:

- 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 public purpose, as well as the goal and objective of this contract, is to allow the Board of Elections to carry out its statutory duties in connection with all upcoming 2015 and 2016 Primary, Special and General

Elections and to ensure that all eligible County residents have the opportunity to exercise their right to vote. County Board of Elections staff will monitor the contractor's performance of the contract.

It is our recommendation that Contract No. BOE 15-07 be awarded to Whalen's Moving & Storage Co., LLC, in an amount not to exceed \$124,036.50, subject to appropriations and payable pursuant to an approved budget.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/21/2015 - JOMARY VIERA, SECRETARY

# RESOLUTION

## CONTRACT NO. BOE 15-07

Upon communication from the Commissioners of the Board of Elections, be it

**RESOLVED**, that Contract No. BOE 15-07 for 2015 and 2016 Primary, Special and General Election Moving Services of Voting Machines, Supply Bags and Privacy Booths between the County Warehouse and Various Polling Place Locations in Westchester County, Zone 1 - Cortlandt, Ossining, Peekskill, Somers and Yorktown with the apparent low bidder Whalen's Moving & Storage Co., LLC, 39 Kisco Road, Mount Kisco, New York 10549, in an amount not to exceed \$124,036.50, payable pursuant to an approved budget; 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
2015	101	14	1000	4380		\$53,336.00
2016	101	14	1000	4380		\$70,700.50

**Budget Funding Year(s)** 2015, 2016 **Start Date:** April 1, 2015 **End Date:** December 31, 2016  
(must match resolution)

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

**Contractor Federal I.D. No./**  
**Social Security No.:** \_\_\_\_\_

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

\$124,036.50  
(must match resolution) **Federal Aid** \_\_\_\_\_

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

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

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