

49565

November 18, 2015

TO: BOARD OF ACQUISITION AND CONTRACT

FROM: THOMAS J. LAURO, P.E.
COMMISSIONER

RE: Resolution to Award to the Low Bidder

CONTRACT NO. **EF-1512**
REPLACEMENT OF DOORS
DEPARTMENT OF ENVIRONMENTAL FACILITIES/ VARIOUS LOCATIONS
WESTCHESTER COUNTY, NEW YORK

CONTRACTOR: Empire Energy Specialists, Inc.
AMOUNT: \$218,228.00

On November 18, 2015, one (1) bid was received and opened for Contract No. EF-1512, a contract for approximately one (1) year, commencing on December 1, 2015 and expiring December 1, 2016, for Replacement of Doors, Department of Environmental Facilities/ Various Locations, Westchester County, New York.

The bid was reviewed by the Department and determined that Empire Energy Specialists, Inc. submitted the low bid in the amount of \$218,228.00.

Only one (1) contractor submitted a bid. This project was advertised on the Empire System Purchasing Group ("ESP") website, in addition to the Journal News, and was viewed by over 40 entities on the ESP website. In addition, seven (7) contractors attended at least one of the two pre-bid site inspections. This contract is crucial to protect the building facilities and equipment systems that are operated by DEF personnel and enable the Department to carry out its basic mission to provide wastewater treatment and maintaining satisfactory water quality. Therefore, it is respectfully requested that this contract be awarded without the need to re-bid.

The low bidder has been investigated and found that:

X has 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

MNRR

Operating Budgets

The goals and objectives of the Contract are to obtain the services of a contractor who has the equipment and manpower resources available to undertake the work, consisting of the following tasks:

1. Contractor shall submit door specifications and other data as necessary for doors which are to be replaced.
2. Contractor shall submit drawings for the replacement doors.
3. Replace doors which are inoperable or damaged doors.
4. The contractor shall also replace defective parts of the doors, if required.

DEF personnel will inspect and supervise the work performed by the selected Contractor. 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 herein. The Contractor will be responsible to comply with all applicable regulations and industry standards.

Issuing this contract is fiscally responsible because the tools, equipment and materials needed to perform the work are not readily available and it would be more costly for DEF personnel to procure these items independently. A contractor who is regularly engaged in the door replacement work has access to bulk material pricing and has the necessary manpower training and equipment resources to cost effectively perform the work.

This Contract is deemed to fulfill a public purpose as the services provided under this Contract protect the building facilities and equipment systems that are operated by DEF personnel and enable the Department to carry out its basic mission to provide wastewater treatment and maintaining satisfactory water quality.

It is recommended that Contract No. EF-1512 be awarded to the lowest responsible bidder, Empire Energy Specialists, Inc. in the amount of \$218,228.00 subject to appropriations.

A proposed form of Resolution is attached.

RESOLUTION

Contract No. EF-1512

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

RESOLVED, That Contract No. EF-1512 for Replacement of Doors, Department of Environmental Facilities/ Various Locations, Westchester County, New York, is awarded to the lowest responsible bidder, Empire Energy Specialists, Inc., 970 Nepperhan Avenue, Yonkers, NY 10703, in the amount \$218,228.00 for a term of approximately one year commencing on December 1, 2015 and expiring on December 1, 2016; 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

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2015	221	60	0110	4310		\$218,228

Budget Funding Year(s) 2015 Start Date 12/1/2015 End Date 12/1/2016
(must match resolution)

Funding Source

\$218,228.00
(must match resolution)

TJL/MP/mp

Tax Dollars 100%

State Aid _____

Federal Aid _____

Other _____