

**49609**

November 20, 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-1511  
Modifications to the South Control Structure  
Yonkers Joint Wastewater Treatment Plant

**CONTRACTOR:** Mace Contracting Corporation  
**AMOUNT:** \$183,000.00

On November 18, 2015, one (1) bid was received and opened for Contract No. EF-1511 Modifications to the South Control Structure at the Yonkers Joint Wastewater Treatment Plant. The contract duration is for one hundred and eighty (180) days, commencing on or about December 14, 2015.

The bid proposal package and the bidder qualifications were reviewed by the Department and we determined that Mace Contracting Corporation submitted the lowest responsible bid in the amount of \$183,000. Through issuance of this contract, the Department will procure the services of a contractor with the manpower and equipment resources to perform the work. DEF personnel will continue to operate all County-owned valves and pumps as necessary near the work area while the work is being performed, and will be responsible to isolate any piping systems that will be affected by the contractor work.

The County received only one (1) bid proposal for this project. During the bid phase, the Department followed normal procurement policies, including posting of the project on the Empire System Purchasing Group ("ESP") website, legal advertisement in The Journal News and publication in DPW&T WestWorks. The County also organized a pre-bid site inspection, which was attended by four (4) contractors.

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. The south control structure has been the site of previous spill events, resulting in unpermitted discharge of wastewater during periods of abnormally high plant flows. The Department is seeking to implement improvements to the south control structure to match work done at the north control structure, which will minimize the

possibility of plant overflows at this location.

Through issuance of this contract, the Department will procure the services of a contractor with the manpower and equipment resources to perform the work. DEF personnel will continue to operate all County-owned valves and pumps as necessary near the work area while the work is being performed, and will be responsible to isolate any piping systems that will be affected by the contractor work. The Department respectfully requests 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 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. Elevate the existing concrete structure to match the wall height elevations of the north control structure.
2. Furnish and install a new top slab and new access hatch,
3. Remove instrumentation and control devices so that the construction work can proceed; re-install once the concrete work has been completed,
4. Furnish and install new safety railings.

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. Through issuance of this contract, the Department will procure the services of a contractor with the manpower and equipment resources to 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-1511 be awarded to the lowest responsible bidder, Mace Contracting Corporation, in the amount of \$183,000.00 subject to appropriations.

A proposed form of Resolution is attached.

# RESOLUTION

## Contract No. EF-1511

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

**RESOLVED**, That Contract No. EF-1511 for Modifications to the South Control Structure Yonkers Joint Wastewater Treatment Plant, Yonkers, New York, is awarded to the lowest responsible bidder, Mace Contracting Corporation, 35 Portman Road, New Rochelle, NY 10801, in the amount \$183,000.00 for a term of approximately six months commencing on or about December 14, 2015 and expiring on June 10, 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		\$183,000

Budget Funding Year(s) 2015 Start Date 12/14/2015 End Date 06/10/2016  
(must match resolution)

Funding Source

\$183,000.00  
(must match resolution)

Tax Dollars 100%

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

Federal Aid \_\_\_\_\_

Other \_\_\_\_\_