

**52021**

**TO:** Board of Acquisition and Contract

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

**DATE:** May 13, 2016

**SUBJECT:** Resolution to Award to the Sole Bidder  
Contract No. **EF-1603**  
Inspection and Repair of Cranes & Hoists  
Various Locations  
Westchester County, New York  
**Contractor:** Permadur Industries Inc.  
**Amount:** \$110,626.60

On May 11, 2016, one (01) bid was received and opened for Contract No. EF-1603 for the Inspection and Repair of Cranes & Hoists at Various Locations, Westchester County, New York.

**Bid Prices:**

Bidder #1: \$110,626.60 by Permadur Industries Inc.

Bidder #2: (Invalid Bid\*) by Overhead Hoist & Crane Inc.(Moye Handling) (\*Note: Bid was not read out since there was no Bid Bond provided as required by the contract documents)

This project was advertised on the Empire State Purchasing Group (“ESPG”) website, in addition to the Journal News, and was viewed by 8 entities on the ESGP website. In addition, e-mails were sent to those 8 entities and to an additional 65 suppliers and contractors. It was also published in DPW&T WestWorks. The department also contacted the current contractor to ascertain why they did not submit a bid at this time and stated that they are busy with other projects. Only the above noted bidder attended the Pre-bid Inspection and subsequently submitted a bid.

Although we are concerned only one bid was received for this project, we noted there are only a few specialty-type contractors who regularly perform this type of work in the Westchester County area. We believe that the pricing received for this project is reflective of current labor and equipment costs and do not feel re-bidding the work would attract new bidders or better pricing.

After review by the Department, it was determined that Permadur Industries Inc., submitted the sole bid in the amount of \$110,626.60. Funds for this project are available in the Operating Budget. The Contract is for two (2) years with an option to extend the Contract 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.

The project is within our Engineer’s Estimate and we recommend award.

The sole bidder has been investigated and it has been found that Permadur Industries Inc.

- 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 Contractor services which will allow the Department of Environmental Facilities to maintain its cranes and hoists at peak efficiency and to assure that the cranes and hoists function properly with minimal breakdowns. All cranes and hoists must be given proper preventive maintenance and also be tested to assure that they meet the required safety standards on an annual basis. This contract is fiscally responsible and also protects the health and safety of County and department employees.

During the two year term of the Contract, the Department's representatives will track and monitor the required annual inspection and necessary repairs and the Contractor will be responsible to comply with such regulations and make sure that all applicable regulations, safety precautions and codes are followed.

This Contract is deemed to fulfill a public purpose as the services provided under this Contract protect the building and facilities owned by the County of Westchester and enable the Department to carry out its basic mission to provide wastewater treatment and maintaining satisfactory water quality.

It is my recommendation that Contract No. EF-1603 be awarded to Permadur Industries Inc., in the amount of \$110,626.60 subject to County appropriations.

A proposed form of Resolution is attached.

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION - 09/16/2016 - U.S. MARSHAL SECRETARY

# RESOLUTION

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

**RESOLVED**, that Contract No. EF-1603 for the Inspection and Repair of Cranes & Hoists at Various Locations, Westchester County, New York for a period of two (2) years commencing on 06/13/2016 and a completion date of 06/12/2018 with an option to extend for one (1) additional two year term by mutual consent of the Contractor and the County of Westchester. All prices, terms and conditions shall remain the same as the original contract. This Contract is hereby awarded to the Sole Bidder, Permador Industries Inc., 186 Route 206 South, Hillsborough, NJ 08844 in the amount of \$110,626.60, 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	Magor Program, Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
2016	221	60	0110	4380-99		\$30,612.00
2017	221	60	0110	4380-99		\$55,313.00
2018	221	60	0110	4380-99		\$24,701.60

**Budget Funding Year (s)** 2016-2018 Start Date: \_06/13/2016 End Date: \_06/12/2018

**Funding Source:**      **Tax dollars**      100% County  
**State Aid**              -0-  
**Federal Aid**            -0-  
\$110,626.60            **Other**                -0-

(Must match resolution)