

59212

**TO:** Board of Acquisition and Contract

**FROM:** Vincent F. Kopicki, P.E.  
Commissioner of Public Works and Transportation

**DATE:** October 3, 2017

**SUBJECT:** Resolution to Reject Bids and Re-Advertise  
Contract No. 15-541  
Performance Maintenance III-B  
Exterior Finalization  
Blind Brook Wastewater Treatment Plant  
Rye, New York

On September 20, 2017, three (3) bids were received and opened for Contract No. 15-541 for Performance Maintenance III-B, Exterior Finalization, Blind Brook Wastewater Treatment Plant, Rye, New York.

Subsequently, a review of the bids determined that the apparent low bidder was non-responsive to the bid specification for failing to submit with its bid a separate sealed list that names each Subcontractor that the bidder will use to perform work on the contract, all other bids are over budget, and it is in the County's best interest to modify the specifications and re-bid.

Therefore, it is requested that the bids be rejected and re-advertised as Contract No. 15-541-Rev.

In accordance with Chapter 635 of the Laws of Westchester County, the Department of Public Works and Transportation has evaluated the needs of this project and determined that a Project Labor Agreement (PLA) will benefit and enhance the interests of the County in the timely and efficient completion of the project. The Contractor to whom this contract is awarded will be required to execute a PLA.

The objective of this contract is to provide improvements including increased efficiency and reliability of equipment and redundancy of operation regarding influent flow at the Blind Brook Wastewater Treatment Plant.

This contract is in the public's best interest because it protects plant equipment, provides improved plant operability and reliability, and ensures that the plant's operations are safe and environmentally compliant, thereby enhancing the health and general welfare of the residents of Westchester County.

The department will track scheduling and accomplishments by the contractor and perform on-site inspections to ensure the successful completion of this project.

This resolution has been reviewed by the Law Department.

# RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation,

**WHEREAS**, on September 20, 2017, three (3) bids were received and opened for Contract No. 15-541 for Performance Maintenance III-B, Exterior Finalization, Blind Brook Wastewater Treatment Plant, Rye, New York; and

**WHEREAS**, a review of the bids determined that the apparent low bidder was non-responsive to the bid specification for failing to submit with its bid a separate sealed list that names each Subcontractor that the bidder will use to perform work on the contract, all other bids are over budget, and it is in the County's best interest to modify the specifications and re-bid; and

**WHEREAS**, it is hereby requested that the bids received for Contract No. 15-541 be rejected and the contract be re-advertised as Contract No. 15-541-Rev.; now, therefore, be it

**RESOLVED**, that the bids for Contract No. 15-541 for Performance Maintenance III-B, Exterior Finalization, Blind Brook Wastewater Treatment Plant, Rye, New York be rejected; and be it further

**RESOLVED**, that it is in the best interest of the County that Contract No. 15-541 for Performance Maintenance III-B, Exterior Finalization, Blind Brook Wastewater Treatment Plant, Rye, New York, be re-advertised as Contract No. 15-541-Rev. for Performance Maintenance III-B, Exterior Finalization, Blind Brook Wastewater Treatment Plant, Rye, New York; and be it further

**RESOLVED**, that adequate and sufficient security for the faithful performance of this contract shall be deemed to be receipt of a performance and payment bond in an amount equal to 100% of the total contract amount, and in a form approved by the County Attorney. The Bond Underwriter or Surety must appear on the U.S. Treasury's listing of approved sureties (Department Circular 570) and all Sureties must be licensed to transact business in New York as a surety company; and be it further

**RESOLVED**, that this advertisement for bids will state that pursuant to Chapter 308 of the Laws of the County of Westchester, the policy of the County is to encourage the meaningful and significant participation on County contracts for business enterprises owned by persons of color and women - Minority Business Enterprise (MBE) and Women Business Enterprise (WBE); and be it further

**RESOLVED**, that such advertisement shall appear in the following County newspaper(s):

**THE JOURNAL NEWS (Westchester-Putnam Edition)**

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SBB0600A	6050-01	BA #47-2015	

**Budget Funding Year(s)** 2017 **Start Date:** \_\_\_\_\_ **End Date:** \_\_\_\_\_  
 (must match resolution)

**Funding Source:** **Tax Dollars** 100% County **Contractor Federal I.D. No./ Social Security No.:** \_\_\_\_\_

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

**\$** \_\_\_\_\_ **Federal Aid** \_\_\_\_\_ **Vendor No.:** \_\_\_\_\_  
 (must match resolution)

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