

63148

TO: Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

DATE: May 15, 2018

SUBJECT: Resolution to Award Emergency Contract
Contract No. 17-214
Emergency Stabilization and Repairs
Carousel
Playland Park
Rye, New York

Contractor: Mace Contracting Corp. (*MBE*)
Amount: \$148,939.12

Subcontractor(s): *Rockwell Mechanical Corp.*

On the afternoon of Sunday, July 9, 2017, a fire occurred in the roof structure of the Carousel at Playland Park. The fire caused damage to the structure's cupola, roofing, roof decking, roof structure, electrical system and sprinkler system. The Department of Parks and Recreation immediately notified the Department of Public Works and Transportation of the incident, and arrangements were made to have an engineering analysis of the damaged structure undertaken.

On Monday, July 10, 2017, the firm of Liro Engineers, Inc. commenced the analysis. The County was advised by its consulting engineers that the structure was in immediate need of structural stabilization and provision of weather tightness along with repairs and reactivation of the sprinkler system. Based on the analysis, it was determined that an emergency situation existed and that procurement of an emergency contractor was necessary under the exception to the public bidding laws.

The Department of Public Works and Transportation, following its standard emergency contract protocols, selected the firm of Mace Contracting Corp., 35 Portman Road, New Rochelle, New York 10801 to perform Contract No. 17-214, Emergency Stabilization and Repairs, Carousel, Playland Park, Rye, New York.

The cost of the repairs was \$148,939.12. The Department has reviewed Mace Contracting Corp.'s line item breakdown for the work and has determined that the costs are consistent with similar items of work on other County Projects.

Subsequent to completion of the emergency construction work, the County's independent insurance adjuster commenced a detailed review of all work performed in order to determine the final insurance adjustment. That review has just recently been completed and 6N Insurance Account funding in the amount of \$145,832.10 is now available for a portion of the work. The balance of \$3,107.02 for this emergency contract will be funded out of the 2018 Parks and Recreation Department's Operating Budget.

Mace Contracting Corp. utilized the following subcontractors: Rockwell Mechanical Corp. (Sprinkler Work), 500 Northern Boulevard, Great Neck, New York 11021.

Funds for this project are available in the:

- Capital Budget
- Non-Recurring Budget
- Operating Budget
- 6N Insurance Account

This emergency contract is in the public's best interest to protect the public health and safety.

It is my recommendation that Emergency Contract No. 17-214 be awarded to Mace Contracting Corp. in the amount of \$148,939.12.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/07/2018 - LISA MRIJAJ, SECRETARY

RESOLUTION

CONTRACT NO. 17-214

Upon communication from the Commissioner of Public Works and Transportation,

WHEREAS, on Sunday, July 9, 2017, a fire occurred in the roof structure of the Carousel at Playland Park, Rye, New York; and

WHEREAS, the Department of Public Works and Transportation, following its standard emergency contract protocols, selected the firm of Mace Contracting Corp., 35 Portman Road, New Rochelle, New York 10801 to perform Contract No. 17-214, Emergency Stabilization and Repairs, Carousel, Playland Park, Rye, New York; and

WHEREAS, it was determined that the cost of the repairs was \$148,939.12; now, therefore, be it

RESOLVED, that Contract No. 17-214 for Emergency Stabilization and Repairs, Carousel, Playland Park, Rye, New York be and is hereby awarded to the selected bidder, Mace Contracting Corp., 35 Portman Road, New Rochelle, New York 10801 in the amount of \$148,939.12; and be it further

RESOLVED, that the use of the following subcontractor also be approved: Rockwell Mechanical Corp. (Sprinkler Work), 500 Northern Boulevard, Great Neck, New York 11021; 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	Bond Act No.	Dollars
	615	59	0697/4160	4280/10	N/A	\$145,832.10
	165	42	5520/5520	4070	N/A	\$ 3,107.02

Budget Funding Year(s): 2018 Start Date: July 12, 2017 End Date: January 9, 2018
(must match resolution)

Funding Source: Tax Dollars \$ 3,107.02

State Aid _____

\$148,939.12 Federal Aid _____
(must match resolution)

Other \$145,832.10 6N Insurance Account