

TO: Board of Acquisition and Contract

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

DATE: December 24, 2009

SUBJECT: Award Resolution to the Low Bidder
Contract No. **EF-0908**
Boiler Maintenance and Repairs
Three (3) Wastewater Treatment Plants
Westchester County, New York

Contractor: Unity Mechanical Corporation

11 Bill Horton Way
Wappingers Falls, NY 12590

Amount: \$179,060.00

On December 23, 2009, two (02) bids were received and opened for Contract No. EF-0908 for Boiler Maintenance and Repairs at three (3) Wastewater Treatment Plants, Westchester County, New York. After review by the Department, it was determined that Unity Mechanical Corporation submitted the low bid in the amount of \$179,060.00. Funds for this project are available in the Operating Budget. The Contract is for two (2) years with an option to extend for one (1) additional two year term with all prices, terms and conditions remaining the same as the original contract.

The limited number of bids received was likely due to the fact that this work requires specially trained personnel who have the background, experience and knowledge to work on the various boilers at three County treatment plants. The scope of work includes providing annual preventive maintenance inspections and emergency call-back services when directed by County personnel. There are a total of 14 boilers that are to be maintained as part of this contract. The low bidder has satisfactorily worked on these boilers through the previous maintenance and service contract with the Department and has provided satisfactory service and repairs on these boilers.

The Department has canvassed potential bidders and there are a limited number of contractors equipped to perform this type of specialty work. This project was advertised on the Hudson Valley Municipal Purchasing Group ("HVM") website, in addition to the Journal News, and was viewed by 28 entities on the HVM website. This contract is crucial in maintaining boilers for continuous and uninterrupted operation. Therefore, it is respectfully requested that this contract be awarded without the need to re-bid.

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

The low bidder has been investigated and it has been found that Unity Mechanical Corporation:

- 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 services which will allow the Department to maintain 3 treatment plant's boilers, assuring proper operation and safety, and to function properly at peak efficiency with minimal breakdowns. During the two year term of the contract, Department representatives will track and monitor the required preventive maintenance, and necessary repairs using written service reports which will be signed by Maintenance Superintendents. These service reports are to be submitted with each payment request. The Contractor will be responsible to comply with all applicable regulations and codes.

Issuing a contract for preventive maintenance is fiscally responsible because it will ensure the boilers are operating at their optimum levels, with no leaks or wasted energy inputs. Having qualified service personnel check the units at regular intervals will reduce the likelihood of needing emergency repairs, which are more costly than preventive maintenance services. In addition to lowering operating costs, regular maintenance has been proven to extend the overall life of the equipment, thereby pushing replacement costs further into the future. The boilers supply heat to buildings and equipment systems throughout the plant so it is vitally important to regularly maintain this infrastructure. If plant heating is interrupted, there is potential for pipes freezing and other problems that are costly to repair.

The firm that is awarded this contract will perform the preventive maintenance prior to each heating season, when the equipment systems can be safely taken off-line. Further, the work will be performed by qualified service personnel, who have the specialized training, tools and testing equipment to work on pressurized vessels. By utilizing the comprehensive test reports, DEF will better be able to gauge when major upgrades or capital improvements are needed, and can plan accordingly.

This Contract is deemed to fulfill a public purpose as the services provided under this contract protect the building and facilities owned by the Department of Environmental Facilities and enable the Department to carry out its basic mission to provide wastewater treatment and maintain satisfactory water quality. The term of this contract is for a period of two (2) consecutive years, subject to appropriations. The Operating Budget for contractual services contains the funds required for this service contract.

It is my recommendation that Contract No. EF-0908 be awarded to Unity Mechanical Corporation in the amount of \$179,060.00, subject to County appropriations.

A proposed form of Resolution is attached.

RESOLUTION

Upon communication from Thomas J. Lauro, P.E., the Commissioner of the Department of Environmental Facilities, be it hereby

RESOLVED, that Contract No. EF-0908 for the Boiler Maintenance and Repairs at three (3) Wastewater Treatment Plants, Westchester County, New York for a period of two (2) years is hereby awarded to the lowest responsible bidder, Unity Mechanical Corporation, 11 Bill Horton Way Wappingers Falls, NY 12590 in the amount of \$179,060.00, 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.

Thomas J. Lauro, P.E.
Commissioner

JSA:JMG:LKD

Account to be charged/ Credited	Fund	Dept	Magor Program, Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
2010	221	60	0110	4380-99		\$82,070.00
2011	221	60	0110	4380-99		\$89,530.00
2012	221	60	0110	4380-99		\$ 7460.00

Budget Funding Year (s) 2010-2012 Start Date: 02/01/2010 End Date: 01/31/2012

Funding Source:

Tax dollars 100% County
State Aid -0-
Federal Aid -0-
Other -0-

Contractor -
Federal I.D. No. 13-3450017

\$179,060.00
 (Must match resolution)