

George Latimer
County Executive

Department of Environmental Facilities

Vincent F. Kopicki, P.E.
Commissioner

66114

DATE: November 16, 2018

TO: Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E.
Commissioner, Department of Environmental Facilities

RE: Authority to exercise an option to extend Contract No. EF-1514 with H.I. Stone and Son, Inc. for an additional three-year term commencing on March 1, 2019

By resolution approved on January 14, 2016 (the "January 14th Resolution") your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Environmental Facilities (the "Department"), to enter into an agreement with H.I. Stone and Son, Inc. ("Stone"), the low bidder, for Contract No. EF-1514, Removal and Disposal of Sewage Sludge from the Ossining, Peekskill and Port Chester Wastewater Treatment Plants (WWTP) All Located in Westchester County, New York, for a three-year term commencing on March 1, 2016 and expiring on February 28, 2019 for an amount not-to-exceed \$8,487,180.00 (the "Agreement"). The January 14th Resolution further provided that the Agreement may be extended by mutual consent of the parties for one (1) additional three year term, with all prices, terms and conditions remaining the same as the original Agreement. The Agreement was subsequently executed.

During the initial three year term, Stone has provided satisfactory service to the County and has expressed a desire to extend the Agreement for an additional three year term. The County also desires to extend the Agreement for an additional three year term. Accordingly, authority is requested for the County to exercise the option to extend the Agreement with Stone for an additional three-year period commencing on March 1, 2019 and continuing through February 28, 2022 in an amount not to exceed \$8,487,180.00, as provided for in the original bid document, with all prices, terms and conditions remaining the same as the original Agreement.

Except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect upon the parties.

The goals and objectives of this Agreement are to provide for the safe removal and transportation of all Sewage Sludge separated at the County's Ossining, Peekskill and Port Chester WWTP's s and disposal of this sewage sludge off site at an approved disposal site.

This Agreement will serve a public purpose by insuring the proper operation of the County's WWTP's and will enable the Department to carry out its basic mission to provide wastewater treatment and maintain satisfactory water quality.

The work will be monitored by representatives of the Department throughout the contract term to make sure all applicable regulations, safety precautions and codes regarding the protection of persons and property are adhered to and that a cost-effective project is the end product.

Approval of the attached resolution is respectfully requested.

VFK/ADV/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/13/2018 - LISA MARIJA SECRETARY

RESOLUTION

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

RESOLVED: that the County of Westchester (the “County”), acting by and through its Department of Environmental Facilities, is authorized to exercise an option to extend Contract No. EF-1514, Removal and Disposal of Sewage Sludge from the Ossining, Peekskill and Port Chester Wastewater Treatment Plants (WWTP) All Located in Westchester County, New York, with H.I. Stone and Son, Inc. (the “Agreement”), for an additional three-year period commencing on March 1, 2019 and expiring on February 28, 2022 for an amount not to exceed \$8,487,180.00; and be it further

RESOLVED: that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect upon the parties; and be it further

RESOLVED: that this contract extension is subject to annual 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 budget of the State of New York and/or the adoption of the State Budget or any amendments thereto, and after the County has a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of 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 such 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 duly authorized designee is hereby authorized to execute any and all instruments and take all actions necessary to accomplish the purpose hereof.

Account to be Charged/Credited			Major Program, Program & Phase	Object/	Trust	
	Fund	Dept	Or Unit	Sub Object	Account	Dollars
2019	221	60	0110	4380		\$2,357,550.00
2020	221	60	0110	4380		\$2,829,060.00
2021	221	60	0110	4380		\$2,829,060.00
2022	221	60	0110	4380		\$471,510.00

Budget Funding Year(s) 2019-2022 Start Date 03/01/2019 End Date 02/28/2022
(must match resolution)

Funding Source Tax Dollars 100% County
State Aid _____
\$8,487,180.00 Federal Aid _____
(must match resolution) Other _____