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**TO:** Board of Acquisition and Contract

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

**DATE:** November 19, 2018

**SUBJECT:** Resolution to Award to the Sole Bidder  
Contract No. **18-204**  
Maintenance Service for Fuel Systems and Related Equipment  
Various County Facilities  
Westchester County, New York

**Contractor:** American Petroleum Equipment & Construction Company, Inc.  
**Amount:** \$785,151.00

On November 7, 2018, one (1) bid was received and opened for Contract No. 18-204 for Maintenance Service for Fuel Systems and Related Equipment, Various County Facilities, Westchester County, New York.

One (1) contractor submitted a bid for this project. The project was advertised on the Empire State Purchasing Group website, in addition to the Journal News (Westchester-Putnam Edition), and was viewed by fifteen (15) entities on the Empire State Purchasing Group website. In addition, e-mails were sent to those fifteen (15) entities and to an additional one hundred seventy two (172) suppliers and contractors.

The bid was reviewed by the Department and it was determined that American Petroleum Equipment & Construction Company, Inc. submitted the sole bid in the amount of \$785,151.00.

The sole bidder has been investigated and it has been found that American Petroleum Equipment & Construction Company, Inc.:

- 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  
 Non-Recurring Budget  
 Operating Budget

The objective of this contract is to maintain the operation of fuel and vehicle lift systems at County facilities.

This contract is in the public's best interest because it will promote the health and safety of the general public by providing for safe and code compliant fuel and lift systems.

As expenditures are made pursuant to this authorization, detailed records will be kept in the County's on-line financial system. These records will be easily accessible by Finance, Budget and department staff and will be reviewed regularly to ensure that funds are used appropriately.

Payment for a portion of this contract will be made from the Airport Special Revenue Fund, not the County General Fund and will not impact the County tax levy.

This contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County.

It is my recommendation that Contract No. 18-204 be awarded to American Petroleum Equipment & Construction Company, Inc. in the amount of \$785,151.00, subject to appropriations.

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/19/2018 - LISA MARIJAJ, SECRETARY

# RESOLUTION

## CONTRACT NO. 18-204

Upon communication from the Commissioner of Public Works and Transportation, be it

**RESOLVED**, that Contract No. 18-204 for Maintenance Service for Fuel Systems and Related Equipment, Various County Facilities, Westchester County, New York be and is hereby awarded to the sole bidder, American Petroleum Equipment & Construction Company, Inc., 63 Orange Avenue, Walden, New York 12586, in the amount of \$785,151.00; and be it further

**RESOLVED**, that as set forth in the Contract No. 18-204 bid specifications this contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County; 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	Trust Account	Dollars
	101	46	3200	4380		\$50,897.00 (2019)
	101	46	3300	4380		\$28,757.00 (2019)
	101	46	3400	4380		\$69,387.00 (2019)
	101	46	6700	4380		\$40,483.00 (2019)
	161	44	4110	4380		\$72,193.00 (2019)
	101	46	3200	4380		\$50,897.00 (2020)
	101	46	3300	4380		\$28,757.00 (2020)
	101	46	3400	4380		\$69,387.00 (2020)
	101	46	6700	4380		\$40,483.00 (2020)
	161	44	4110	4380		\$72,193.00 (2020)
	101	46	3200	4380		\$50,897.00 (2021)
	101	46	3300	4380		\$28,757.00 (2021)
	101	46	3400	4380		\$69,387.00 (2021)
	101	46	6700	4380		\$40,483.00 (2021)
	161	44	4110	4380		\$72,193.00 (2021)

**Budget Funding Year(s)** 2019-2021      **Start Date:** January 1, 2019      **End Date:** December 31, 2021  
(must match resolution)

**Funding Source:**      **Tax Dollars** \$568,572.00 County

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

\$785,151.00      **Federal Aid** \_\_\_\_\_

(must match resolution)      **Airport Special**

**Other** \$216,579.00 Revenue Fund