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66409

TO: Board of Acquisition and Contract

FROM: Reginald A. LaFayette & Douglas A. Colety
Commissioners of the Board of Elections

DATE: December 4, 2018

SUBJECT: Resolution to Award to the Second Low Bidder
Contract No. **BOE 18M (Z-4)**
2019 and 2020 Primary, Special and General Election Moving Services for Voting
Machines, Supply Bags and Privacy Booths between the County Warehouse and
Various Polling Place Locations in Westchester County ZONE 4 - Mamaroneck, New
Rochelle, Rye Town and Rye City.

Contractor: Ron's Trucking Corporation
Amount: \$196,266.00 for Zone 4

On October 17, 2018 four bids were received and opened for 2019 and 2020 Primary, Special and General Election Moving Services for Voting Machines between the County Warehouse and Various Polling Place Locations in Westchester County ("Voting Machines Bid") for ZONE 4 - Mamaroneck, New Rochelle, Rye Town and Rye City. – Contract No. **BOE 18M(Z-4)** and Eveready NY Movers, Inc. submitted the apparent low bid in the amount of \$195,594.00. However, on November 14th the apparent low bidder, Eveready NY Movers Inc. notified the County that it was unable to perform the contractual services due to unforeseen health reasons which prevent performance of the moving services and it has requested to withdraw its bid. The Board of Elections has followed up with the apparent low bidder and is satisfied of its inability to perform the services and that notification was made to the County as soon as the information was available, and that there is no fraud or collusion in its withdrawal. Therefore it is requested that the bid submitted by Eveready NY Movers, Inc. be deemed withdrawn and that Contract No. **BOE 18M(Z-4)** be awarded to the second low bidder Ron's Trucking Corporation in the amount of \$196,266.00.

The bids were reviewed by the County Board of Elections and it was determined that Ron's Trucking Corporation submitted the second low bid in the amount of \$196,266.00.

The second low bidder has been investigated and it has been found that Ron's Trucking Corporation

- 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 public purpose, as well as the goal and objective of this contract, is to allow the Board of Elections to carry out its statutory duties in connection with all upcoming 2019 and 2020 Primary, Special and General Elections and to ensure that all eligible County residents have the opportunity to exercise their right to vote. County Board of Elections staff will monitor the contractor's performance of the contract.

It is my recommendation that Contract No. **BOE 18M (Z-4)** be awarded to Ron's Trucking Corporation, in the total amount not to exceed \$196,266.00, payable pursuant to an approved budget and subject to appropriations.

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RESOLUTION

CONTRACT NOS. BOE 18M(Z-4)

Upon communication from the Commissioners of the Board of Elections, be it

RESOLVED, that the apparent low bidder, Eveready NY Movers, Inc. requested to withdraw its bid due to unforeseen health matters and is hereby permitted to withdraw its bid submitted on October 17, 2018 for Contract no **BOE 18M(Z-4)** in the amount of \$195,594.00; and be it further

RESOLVED, that Contract No. **BOE 18M(Z-4)** 2019 and 2020 Primary, Special and General Election Moving Services for Voting Machines, Supply Bags and Privacy Booths between the County Warehouse and Various Polling Place Locations in Westchester County be and is hereby awarded to, Ron's Trucking Corporation, 53 Torre Place, Yonkers, NY 97045 in the amount not to exceed \$196,266.00, payable pursuant to an approved budget; and be it further

RESOLVED, that this Agreement 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	14	1000	4380		\$196,266.00

Budget Funding Year(s) 2019, 2020 **Start Date:** January 1, 2019 **End Date:** December 31, 2020

(must match resolution)

Funding Source:
No./

Tax Dollars 100% County

Contractor Federal I.D.

State Aid _____

Social Security No.: _____

\$196,266.00
(must match resolution)

Federal Aid _____

Vendor No.: _____

Other _____

Encumbrance No.: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/03/2019 - LISA M. RISAJ, SECRETARY