

75547

**TO:** Board of Acquisition and Contract

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

**DATE:** March 24, 2020

**RE:** Award Resolution to the Low Bidder  
Contract No. **EF-2001**  
Operation and Maintenance of  
Household Material Recovery Facility  
Valhalla Campus  
Valhalla, New York  
**Contractor:** ACV Environmental Services, Inc. d/b/a ACV Enviro APV  
**Amount:** \$2,045,088.00

---

On March 18, 2020, two (2) bids were received for Contract No. EF-2001 for Operation and Maintenance of Household Material Recovery Facility (H-MRF), Valhalla Campus, Valhalla, New York. The bids were reviewed by the Department and it was determined that ACV Environmental Services, Inc. d/b/a ACV Enviro APV, submitted the low bid in the amount of \$2,045,088.00. Funds for this project are available in the Operating Budget. This contract is for a term of three (3) years. The Contract may be extended by mutual consent of the Contractor and the County of Westchester for one (1) additional two year term with all prices, terms and conditions remaining the same as the original contract.

The low bidder has been investigated and it has been found that ACV Environmental Services, Inc. d/b/a ACV Enviro APV has the required experience in the field. Information submitted was also reviewed by the County Attorney's Office in connection with the determination that ACV Environmental Services, Inc. d/b/a ACV Enviro APV is a responsible bidder.

The goals and objectives of the contract are to obtain services that will allow the Department to safely collect and dispose of hazardous and other household wastes. During the three year term of the contract, Department representatives will track and monitor the performance of the contractor and ensure that required records of collection and disposal are maintained, including certified payrolls. The objective of this contract is to operate a centralized facility for the disposal and processing of many household wastes not accepted by municipal and local carters.

The work under this contract consists of operating and maintaining the H-MRF including furnishing all labor, equipment, materials, supplies, and incidentals necessary to operate and maintain the facility. This contract is crucial to provide Westchester County residents with a convenient outlet to safely dispose of common household wastes. The Department will monitor performance by the contractor and staff at the H-MRF with a department employee to ensure the successful operation and maintenance of the facility. The Contractor will be responsible to comply

with all applicable regulations and codes. This contract is in the public's best interest because it will promote the health and safety of the general public by providing a facility equipped to receive, process and dispose of household waste, thus addressing the County Executive's priority area: Health and the Environment (HE).

It is my recommendation that Contract No. EF-2001 be awarded to ACV Environmental Services, Inc. d/b/a ACV Enviro APV in the amount of \$2,045,088.00, subject to County appropriations.

A proposed form of Resolution is attached.

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/26/2020 - LISA MRIS (SECRETARY)

# RESOLUTION

## CONTRACT NO. EF-2001

Upon communication from the Commissioner of the Department of Environmental Facilities, hereby

**WHEREAS**, the Commissioner of the Department of Environmental Facilities requests approval of Contract No. EF-2001 for the Operation and Maintenance of Household Materials Recovery Facility, Valhalla Campus, Valhalla, New York, between the County of Westchester and the lowest responsible bidder, ACV Environmental Services, Inc. d/b/a ACV Enviro APV, 928 East Hazewood Avenue, Rahway, NJ 07065; and

**WHEREAS**, it is requested that Contract No. EF-2001, be issued to provide Westchester County residents with a convenient outlet and for operating a centralized facility for the disposal and processing of all household hazardous waste which cannot be accepted by local carters; and

**RESOLVED**, that Contract No. EF-2001 for Operation and Maintenance of Household Materials Recovery Facility, Valhalla Campus, Valhalla, New York, is hereby awarded to the lowest responsible bidder, ACV Environmental Services, Inc. d/b/a ACV Enviro APV, 928 East Hazewood Avenue, Rahway, NJ 07065, in the amount \$2,045,088.00 for a term of three years commencing on April 1, 2020 and ending March 31, 2023, with an option to extend for one (1) additional two year term by mutual consent of the Contractor and the County of Westchester with all prices, terms and conditions remaining the same as the original contract 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.

Account to be charged/ Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
2020	251	60	7800-7810	4380		\$ 511,272.00
2021	251	60	7800-7810	4380		\$ 681,696.00
2022	251	60	7800-7810	4380		\$ 681,696.00
2023	251	60	7800-7810	4380		\$ 170,424.00

**Budget Funding Year(s)** 2020-23 **Start Date:** April 1, 2020 **End Date:** March 31, 2023  
 (must match resolution)

**Funding Source: Tax Dollars** \_\_\_\_\_

**Contractor Federal I.D. No./  
Social Security No.:** \_\_\_\_

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

\$2,045,088.00 **Federal Aid** \_\_\_\_\_  
 (must match resolution)

**Vendor No.:** \_\_\_\_

**Other** \_\_\_\_\_

**Encumbrance No.**

\_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/26/2020 - LISA MARIJAL SECRETARY