

80097

TO: Board of Acquisition and Contract

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

DATE: October 13, 2020

SUBJECT: Resolution to Award to the Sole Bidder
Contract No. 20-214
Coating Installation and Repairs
Norwood E. Jackson Correctional Center
Valhalla Campus
Valhalla, New York

Contractor: Enecon Northeast Applied Polymer Systems, Inc.
Amount: \$4,800,450.00

On September 16, 2020 the County of Westchester ("County") received and opened one (1) bid for Contract No. 20-214 for Coating Installation and Repairs, Norwood E. Jackson Correctional Center, Valhalla Campus, Valhalla, 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 thirty nine (39) entities on the Empire State Purchasing Group website. In addition, e-mails were sent to those thirty nine (39) entities and to an additional two hundred ninety two (292) suppliers and contractors.

The bids were reviewed by the Department of Public Works and Transportation ("Department") and it was determined that Enecon Northeast Applied Polymer Systems, Inc. ("Enecon") submitted the sole bid in the amount of \$4,800,450.00.

The sole bidder has been investigated and it has been found that Enecon:

- 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
- Other

The objective of this contract is to provide necessary services to address waterproofing.

Please be advised that on January 3, 2019 your Honorable Board awarded Contract No. 18-217 for Countywide Coating Installation and Repairs to Enecon (“Contract No. 18-217”). It should be noted that pursuant to Contract No. 18-217, Enecon has already completed coating work at certain locations in the Norwood E. Jackson Correctional Center. The work being performed under this proposed contract involves different locations at the Norwood E. Jackson Correctional Center and does not include the work that has already been completed under Contract No. 18-217.

This contract is in the public’s best interest because it will promote the health and safety of the general public by ensuring the structural integrity and weather tightness of the Norwood E. Jackson Correctional Center and thus reducing maintenance costs.

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.

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. 20-214 be awarded to Enecon in the amount of \$4,800,450.00, subject to appropriations.

RESOLUTION

CONTRACT NO. 20-214

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

RESOLVED, that Contract No. 20-214 for Coating Installation and Repairs, Norwood E. Jackson Correctional Center, Valhalla Campus, Valhalla, New York be and is hereby awarded by the County of Westchester ("County") to the sole bidder, Enecon Northeast Applied Polymer Systems, Inc., 150 Schmitt Boulevard, Farmingdale, New York 11735, in the amount of \$4,800,450.00; and be it further

RESOLVED, that as set forth in the Contract No. 20-214 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	Bond Act No.	Dollars
	335	35	BCR5D01C	6210-99	BA #212-2009	\$ 100,000.00 (2021)
	335	35	BCR5801C	6210-99	BA # 80-2019	\$1,500,150.00 (2021)
			TO BE DETERMINED			\$1,600,150.00 (2022)
			TO BE DETERMINED			\$1,600,150.00 (2023)

File Price Contract. Price to be paid by user Department.

Budget Funding Year(s): 2021-2023 **Start Date:** January 1, 2021 **End Date:** December 31, 2023
(must match resolution)

Funding Source: **Tax Dollars** 100% County

State Aid _____

\$4,800,450.00 **Federal Aid** _____
(must match resolution)

Other _____