

**TO:** Board of Acquisition and Contract

**FROM:** John J. Hsu, P.E.  
Acting Commissioner of Public Works

**DATE:** April 7, 2010

**SUBJECT:** Resolution to Award to the Low Bidder  
Contract No. **10-514**  
Biological Nutrient Removal Upgrade  
Blind Brook Wastewater Treatment Plant  
Rye, New York

**Contractor:** Arben Group LLC

**Amount:** \$488,890.00

**Subcontractor(s):** RLJ Electric Corp.

On March 31, 2010, two (2) bids were received and opened for Contract No. 10-514 for Biological Nutrient Removal Upgrade, Blind Brook Wastewater Treatment Plant, Rye, New York.

Payment for this contract will be made from the Department of Environmental Conservation's Water Quality Improvement Project program, not the County General Fund and will not impact the County tax levy. Completion of all construction work by September 30, 2010 is a condition for reimbursement under this program.

In order to meet the September 30, 2010 deadline, the bidding period was reduced to the minimum allowable under §161.11(2) of the Laws of Westchester County – (ten) 10 days. Due to this, only two (2) contractors submitted bids. The Department canvassed potential bidders prior to letting this contract in an effort to increase the number of potential bidders. This project was advertised on the Hudson Valley Municipal Purchasing Group ("HVM") website, in addition to the Journal News (Southern Edition), and was viewed by 26 entities on the HVM website. In addition, e-mails were sent to those 26 entities and to an additional 221 suppliers and contractors. This contract is crucial to allow the Department of Environmental Facilities to maintain and ensure continuous and reliable processing of wastewater at the Blind Brook Wastewater Treatment Plant.

The bids were reviewed by the Department and it was determined that Arben Group LLC submitted the low bid in the amount of \$488,890.00, and has proposed the utilization of the following subcontractor: RLJ Electric Corp. (Electric Work), 860 Washington Street, Peekskill, New York 10566.

The low bidder has been investigated and it has been found that Arben Group LLC:

- 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 allow the Department of Environmental Facilities to maintain its treatment plant systems and to ensure continuous and reliable processing of wastewater.

This contract is in the public's best interest because it will promote the health and safety of the general public by ensuring continued uninterrupted operation of the plant's wastewater treatment systems. This project will enable the Department of Environmental Facilities to carry out its basic mission to provide wastewater treatment and maintain satisfactory water quality, thus addressing the County Executive's priority area: Health and the Environment (HE).

If this resolution is not approved, the County will not be able to complete the Biological Nutrient Removal Upgrade at the Blind Brook Wastewater Treatment Plant under the Department of Environmental Conservation's Water Quality Improvement Project program.

The department will utilize Primavera Software Management tools to track scheduling and accomplishments by the contractor and perform on-site inspections to ensure the successful completion of this project.

It is my recommendation that Contract No. 10-514 be awarded to Arben Group LLC in the amount of \$488,890.00.

This resolution has been reviewed by the Law Department.

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-22-2010 - SOMA NEIRA, SECRETARY

# RESOLUTION

## CONTRACT NO. 10-514

Upon communication from the Acting Commissioner of Public Works, be it

**RESOLVED**, that Contract No. 10-514 for Biological Nutrient Removal Upgrade, Blind Brook Wastewater Treatment Plant, Rye, New York be and is hereby awarded to the low bidder, Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570, in the amount of \$488,890.00; and be it further

**RESOLVED**, that the use of the following subcontractor also be approved: RLJ Electric Corp. (Electric Work), 860 Washington Street, Peekskill, New York 10566; and be it further

**RESOLVED**, that this contract is subject to County appropriations; 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
	322	60	SLI0300C	6210-99		\$488,890.00

**Budget Funding Year(s)** 2010      **Start Date:** May 6, 2010      **End Date:** September 30, 2011  
(must match resolution)

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

**Contractor Federal I.D. No./**  
**Social Security No.:** 01-072-2131

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

\$488,890.00  
(must match resolution)      **Federal Aid** \_\_\_\_\_  
100% Reimbursed through

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

**Other** NYSDEC WOIP Program

**Encumbrance No.:** \_\_\_\_\_