

**I09557**

**TO:** Board of Acquisition and Contract

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

**DATE:** July 10, 2024

**SUBJECT:** Resolution to Award to the Sole Bidder  
Contract No. **EF-2402**  
Service, Repair and Replacement of Small Air Conditioning  
Systems (Less than 80 tons)  
Various County Locations  
Westchester County, New York

**Contractor:** ThermoDynamics Corp.  
**Amount:** \$188,750.00

On June 26, 2024 the County of Westchester ("County") received and opened one (1) bid for Contract No. EF-2402 for Service, Repair and Replacement of Small Air Conditioning Systems (Less than 80 tons), Various County Locations, 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 seventeen (17) entities on the Empire State Purchasing Group website. In addition, e-mails were sent to those seventeen (17) entities and to an additional one thousand ninety eight (1098) suppliers and contractors.

The bid was reviewed by the Department of Environmental Facilities ("Department") and it was determined that ThermoDynamics Corp., submitted the sole bid in the amount of \$188,750.00.

The sole bidder has been investigated and it has been found that ThermoDynamics Corp.:

- X   has 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 Operating Budget. The Contract is for a two (2) year duration starting on 08/15/2024 with an end date of 08/15/2026. The contract includes an option to extend the contract 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.

The goals and objectives of the Contract are to obtain the services of a specialized contractor who has

the prior experience and training to ensure proper functioning of the air conditioning equipment. The Service Provider will provide repair and replacement services when requested and when directed by the County. Operating this equipment at peak efficiency with minimal breakdowns is critical to extending equipment life and protecting DEF infrastructure. After each site visit, a written service report will be generated by the Contractor, which will be signed off by a DEF maintenance superintendent and will serve as verification that the work was performed. These service reports are to be submitted with each payment request. Signed verification by DEF is for payment and tracking purposes only and in no way relieves contractual responsibility from the Contractor for completing the work as described in the Contract Documents. The Contractor will be responsible to comply with all applicable regulations and industry standards.

The firm that is awarded this contract will perform inspection, preventive maintenance, replacement, which will be performed by qualified service personnel who have the specialized training, tools and testing equipment to work on air conditioning systems. By utilizing the field reports, DEF will better be able to gauge when major upgrades or capital improvements are needed, and can plan accordingly.

This Contract is deemed to fulfill a public purpose as the services provided under this Contract protect the building and facilities owned by the County of Westchester and enable the Department to carry out its basic mission to provide wastewater treatment and maintaining satisfactory water quality.

It is my recommendation that Contract No. EF-2402 be awarded to ThermoDynamics Corp., in the amount of \$188,750.00 subject to County appropriations.

A proposed form of Resolution is attached.

APPROVED BOARD OF ACQUISITION & CONTRACT 3/8/01/2004

RAYMOND SUJUKY, SECRETARY

# RESOLUTION

## CONTRACT NO. EF-2402

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

**RESOLVED**, that Contract No. EF-2402 for the Service, Repair and Replacement of Small Air Conditioning Systems (Less than 80 tons) at various locations, Westchester County, New York for a period of two (2) years with an option to extend for one (1) additional two year term by mutual consent of the parties with all prices, terms and conditions remaining the same as the original contract, is hereby awarded to the sole responsible bidder, ThermoDynamics Corp., 2989 Navajo St, Yorktown Heights, NY 10598 in the amount of \$188,750.00, 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			Major Program,	Object/Sub	Trust	Dollars
	Fund	Dept	Program & Phase or Unit	Object	Account	
2024	221	60	0110	4380-99		\$35,680.00
2025	221	60	0110	4380-99		\$94,630.00
2026	221	60	0110	4380-99		\$58,440.00

Budget Funding Year (s) 2024-2026 Start Date: 08/15/2024 End Date: 08/15/2026

Funding Source: Tax dollars 100% County Contractor -  
State Aid -0- Federal I.D. No.  
Federal Aid -0-  
\$188,750.00 Other -0-  
(Must match resolution)