



Kenneth W. Jenkins
County Executive

Vincent Kopicki, P.E.
Commissioner

113297

TO: Honorable Board of Acquisition and Contract

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

DATE: March 12, 2026

RE: Award of Emergency Contract No. EF-2603, Brockway Place Transfer Station Drainage Rehab, to ELQ Industries, Inc. ("ELQ") for an amount not to exceed \$223,031.94

As I informed your Honorable Board in a Declaration of Emergency Situation memorandum dated February 11, 2026 ("February 11th Memorandum"), the Westchester County ("County") Department of Environmental Facilities Refuse & Recycling Division ("DEF") has been managing an Administrative Order ("AO") issued by the United States Environmental Protection Agency ("EPA") to address regulatory compliance for stormwater/leachate management at the Brockway Place White Plains Transfer Station ("WPTS" or "Facility"). Despite significant work and compliance with the timeline of the AO, the WPTS remains in non-compliance with the regulatory framework. Therefore, the EPA has sought to address next steps. However, in lieu of a lawsuit to enforce, and in recognition of the significant steps taken by DEF, the EPA has agreed to permit additional work and the issuance of a Consent Agreement.

The Consent Agreement has been submitted to the Board of Legislators ("BOL") for review and approval to execute. In the meantime, DEF remains obligated to address the non-compliance. Therefore, DEF has determined that immediate action must be taken to further its efforts to come into compliance with applicable regulations and avoid fines and possible legal action from the EPA. To this end, DEF has been engaging contractors to purchase new catch basin filter systems, including frames, filters, booms, and related work and equipment; and to conduct inspections, cleaning, and relining of the stormwater pipes.

DEF anticipates these activities will move the WPTS into compliance. These activities

have been reviewed with the EPA, which has indicated that the replacement, repairs, and actions described above should be undertaken without delay.

In response to this potential health risk, the Department of Environmental Facilities (the "Department") declared an emergency situation to procure these services in an accelerated fashion. The Department, following its standard emergency contract protocols, selected the firm of ELQ Industries, Inc. ("ELQ"), to perform Contract No. EF-2603, Brockway Place Transfer Station Drainage Rehab.

The work under this contract includes, but is not limited to, (1) cleaning and inspection of the 6" to 15" pipe; and (2) installation of cured in place pipe (CIPP) lining at the Brockway Place White Plains Transfer Station. The cost for this contract will not exceed \$223,031.94. The term of the contract will be from March 23, 2026, through March 22, 2027.

In addition, ELQ has requested the utilization of the following subcontractor: Arold Construction Company Inc., 51 Powder Mill Bridge Rd., Kingston, NY 12401 (Pipe Cleaning, Inspection and Lining).

Funds for this project are available in the:

- Capital Budget
- Non-Recurring Budget
- Operating Budget

This emergency contract is in the public's best interest as it is necessary to protect the health and safety of the general public.

This emergency contract award has been reviewed by the Law Department and a proposed form of Resolution is attached hereto for your approval.

It is my recommendation that Emergency Contract No. EF-2603 be awarded to ELQ in the not-to-exceed (NTE) amount of \$223,031.94.

VFK/sma/dlv
Encl.

RESOLUTION
Agreement No. EF-2603

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

RESOLVED, that Emergency Contract No. EF-2603 for Brockway Place Transfer Station Drainage Rehab, be and is hereby awarded to the selected contractor, ELQ Industries, Inc., for an amount not to exceed \$223,031.94; and be it further

RESOLVED, that the term of the contract shall be from March 23, 2026, through March 22, 2027; and be it further

RESOLVED, that the use of the following subcontractor be approved: Arold Construction Company Inc., 51 Powder Mill Bridge Rd., Kingston, NY 12401 (Pipe Cleaning, Inspection and Lining); 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	Bond Act No.	Dollars
325	60	RD017-04C	6210	BA 85-2025	\$223,031.94

Budget Funding Year(s) 2026-2027 Start Date 03/23/2026 End Date 03/22/2027
(must match resolution)

Funding Source

Tax Dollars \$223,031.94

State Aid _____

NTE \$223,031.94

Federal Aid _____

(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT 04/02/2026 - RAYMOND SKULKY, SECRETARY