

The Legislature of Rockland County



ILAN S. SCHOENBERGER
LEGISLATOR, DISTRICT 4
PLANNING AND PUBLIC WORKS, CHAIR

AGENDA
PLANNING AND PUBLIC WORKS COMMITTEE
TUESDAY, FEBRUARY 25, 2014
7:00 PM

ROLL CALL

ADOPTION OF MINUTES, FEBRUARY 11, 2014

1. REFERRAL NO. 6394 - APPROVING A PURCHASE IN EXCESS OF \$100,000 WITH H.O. PENN MACHINERY COMPANY, INC. IN THE AMOUNT OF \$236,808.66 FOR TWO (2) CATERPILLAR 420F BACKHOES WITH TWO (2) SPARE TIRES AND RIMS UNDER RFB-RC-2013-029 AND AUTHORIZING ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER CAPITAL PROJECT NO. 3402 – HIGHWAY DEPARTMENT THREE (3) YEAR EQUIPMENT REPLACEMENT PROGRAM (DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING) (\$236,808.66)
**(GERRY WALSH, COMMISSIONER, DGS, COMMISSIONER, DGS-PURCHASING)
DL#2013-05165**
2. REFERRAL NO. 6803 - DISCUSSION ITEM: CLEARING OF SIDEWALKS ON NEW HEMPSTEAD ROAD, NEW CITY, NEW YORK
(HON BARRY KANTROWITZ, LEGISLATURE)

"The Rockland County Legislature is committed to full compliance with the Americans with Disabilities Act. To that end, the Legislature is committed to creating an accessible environment for all. To request accommodations that you may require, please call Damaris Alvarez at 845-638-5248 (845-708-7899 for TTY/TDD). Please request these accommodations three (3) days in advance so that we can seek to meet your needs."

PPW022514. AGN:SED

Introduced by:

Referral No. **DRAFT**

**RESOLUTION NO. OF 2014
APPROVING A PURCHASE IN EXCESS OF \$100,000 WITH
H.O. PENN MACHINERY COMPANY, INC.
IN THE AMOUNT OF \$236,808.66
FOR TWO (2) CATERPILLAR 420F BACKHOES
WITH TWO (2) SPARE TIRES AND RIMS
UNDER RFB-RC-2013-029 AND AUTHORIZING ALL PURCHASES
TO BE MADE BY FORMAL PURCHASE ORDER
CAPITAL PROJECT NO. 3402 – HIGHWAY DEPARTMENT THREE (3) YEAR
EQUIPMENT REPLACEMENT PROGRAM
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$236,808.66)**

WHEREAS, At the request of the Department of Highways, the Division of Purchasing issued a Request for Bid for a Caterpillar 420F Backhoe under Bid RFB-RC-2013-029 (“the RFB”) since Backhoes are no longer available on a New York State Contract; and

WHEREAS, The Caterpillar 420F backhoe is needed to replace aging Highway Department equipment that is used for road repair, and for the moving of salt, stone, and fill on a regular basis as well as responding to weather-related events; and

WHEREAS, Seventy-five (75) heavy equipment dealers were notified of this bid opportunity as well as advertising the bid in the New York State Contract Reporter; and

WHEREAS, Caterpillar has defined dealer territories which make it difficult to receive multiple bids; and

WHEREAS, The RFB included a Request for Change or Approved equal process to encourage the submission of bids for equivalent products; and

WHEREAS, A single bid was received from H.O. Penn Machinery Company, Inc., 122 Noxon Road, Poughkeepsie, New York 12603 which is the official Caterpillar dealer for Rockland County; and

WHEREAS, Since a single bid was received, a price analysis was conducted comparing the pricing from a National Cooperative Purchasing Contract – National Joint Powers Alliance, and a recent bid from the Town of Cortlandt, NY for the same model backhoe; and

WHEREAS, The H.O. Penn bid price of \$99,400 for the base unit without options represents a 23.4% discount off of the Caterpillar list price; and

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WHEREAS, The NJPA National Cooperative Contract provides for a 21% discount off the Caterpillar list price for the 420F Backhoe and accessories; and

WHEREAS, The Town of Cortlandt bid price for the Caterpillar 420F Backhoe with the following options (bid pricing was not broken down) Deluxe Cab, A/C, Radio, Beacon, Ride Control, Engine Block Heater, and 3 year/5000 hour warranty was \$111,110; and

WHEREAS, The bid price from H.O. Penn Machinery Company, Inc. to this RFB for the Caterpillar 420F Backhoe with Deluxe Cab, A/C, Radio, Beacon, Ride Control, Engine Block Heater, and 3 year/5000 hour warranty is \$110,500.00; and

WHEREAS, After comparing the bid price from H.O. Penn Machinery Company, Inc. to the NJPA Cooperative Contract Price and the Town of Cortlandt bid price, the Purchasing Division determined the bid pricing submitted by H.O. Penn is competitive market pricing, and

WHEREAS, Two of the optional items, The Deluxe Cab with Air Conditioning (19% discount) and the Ride Control (14% discount) were offered at less of a discount than the base Unit, and

WHEREAS, The Purchasing Division requested H.O. Penn Machinery Company, Inc. to review their pricing and reduce the price for these items based on the discount offered on the base unit, and

WHEREAS, H.O. Penn Machinery Company, Inc. agreed to reduce its bid price for the Deluxe Cab from \$8,500 to \$7,943.42 and in addition to reduce its bid price for the Ride Control from \$1,200 to \$1,060.91. for a total savings to the County of \$695.67; and

WHEREAS, The Superintendent of Highways has now advised that a second backhoe needs to be replaced; and

WHEREAS, Based on the price analysis and negotiated price, the Superintendent of Highways recommends the award of all line items, including the optional specialized paint color to H.O. Penn Machinery Company, Inc. for the purchase of two (2) Caterpillar 420F Backhoes each at a price of \$116,604.33 each with two (2) spare tires and rims at the additional cost of \$1,800 for a total cost of \$118,404.33 for each backhoe: and

WHEREAS, The Director of Purchasing and the Superintendent of Highways recommends that the County Executive and the Legislature of Rockland County approve a purchase in excess of \$100,00 to H.O. Penn Machinery Company, Inc. 122 Noxon Road, Poughkeepsie, New York 12603 under Bid RFB-RC-2013-029 for the purchase of two (2) Caterpillar 420F Backhoes each with two (2) spare tires and rims for a total purchase not to exceed the amount of \$236,808.66, with all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve "execution of all contracts in excess of \$100,000 entered into by the County," and

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WHEREAS, Sufficient funding for these purchases exists in the 2014 Adopted Capital Budget, Capital Project No. 3402 – Highway Department Three (3) Year Equipment Replacement Program; and

WHEREAS, The Committees of the Legislature have met, considered and unanimously approved this resolution; now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves a purchase in excess of \$100,000 with H.O. Penn Machinery Company, Inc., 122 Noxon Road, Poughkeepsie, New York 12603 under RFB-RC-2013-029 for the purchase of two (2) Caterpillar 420F backhoes each with two (2) spare tires and rims for a total purchase not to exceed the amount of \$236,808.66, with all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases exists in the 2014 Adopted Capital Budget, Capital Project No. 3402 – Highway Department Three (3) Year Equipment Replacement Program.

TS: lo
2013-05165
2/20/14