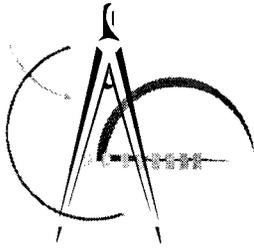


Weekly Town Board Meeting
June 19, 2013 7:30 p.m.
Town Hall, 238 Main St., Cold Spring, NY

AGENDA

1. Resolution awarding the bid for the Old Albany Post Road Reconstruction Project to Ben Ciccone, Inc. of 151 Daley Road, Poughkeepsie, New York in the amount of \$538,100.00.
2. Resolution authorizing Town Clerk Merando to advertise for bidders for the Indian Brook Road Culvert Replacement Project. (Nunc Pro Tunc)
3. Any other business that may come before the Town Board.
4. Adjournment.



RONALD J. GAINER, P.E., PLLC

31 Baldwin Road, Patterson, NY 12563

Mailing Address: PO Box 417, Pawling, NY 12564

office 845-878-6507

cell 845-527-1432

June 14, 2013

Mr. Richard Shea, Supervisor, and Town Board
Town of Philipstown
238 Main Street
PO Box 155
Cold Spring, New York 10516

Re: Old Albany Post Road Reconstruction Project

Dear Honorable Supervisor and Town Board Members:

On May 17, 2013 bids were opened on the above referenced project and publicly read aloud. As the Board will recall, the project entails the following major elements:

- Installation of approximately 1350 linear feet of new drainage piping and catch basins
- Partial removal of a large boulder along the edge of the roadway at Station 2+80
- Complete reconstruction and widening of the roadway, from the present pavement limits for 450 linear feet, with pavement and curbs
- Reconstruction of the gravel roadway to the limits of the new drainage piping

The Town received two (2) bids, as summarized below:

Company	Total Bid Amount
Ben Ciccone, Inc. 151 Daley Road, Poughkeepsie, NY 12603	\$538,100.00
Con-Tech Construction Corp 28 Lakeview Drive, Yorktown Heights, NY 10598	\$688,094.82

The apparent low bidder was Ben Ciccone, Inc.. of Poughkeepsie, NY, in the amount of \$538,100.00. Their bid included a bid bond in the amount of 5% of the Bid to serve as a bid security, and a "Non-Collusive" Statement as required by the Bid Documents.

We have reviewed representative references given by the Low Bidder. All spoke highly of Ben Ciccone Inc.'s qualifications and experience. Further, the firm has also performed satisfactory work previously for the Town. Therefore we consider the low bidder to be qualified to provide the services which the Town of Philipstown requires to accomplish by this project.

RE: Old Albany Post Road Reconstruction Project

Further, because the work is to be funded through FEMA, and the pricing obtained is significantly higher than the estimated value that the Project Workplan ("PW") was written for, we have confirmed with the NYS Office of Emergency Management that, as this activity qualifies as a "large Project" under their regulations, the agency will fund the actual cost of the work.

Therefore, provided that the Town Attorney finds the bid form, bid bond, and non-collusive bidding certificate to be satisfactory, we believe that Ben Ciccone, Inc.'s bid proposal in the total amount of \$538,100.00, may be accepted.

If the Town approves a resolution to award Ben Ciccone, Inc., the project, then a formal "Notice of Award" should be issued. The "Notice of Award" should include a reminder that, as required in the Instructions to Bidders, the Performance Bond and the Payment Bond must be provided within 10 days from the notification of award or when the agreement is executed, whichever is sooner. The bidder should supply the required insurance certificate in the same time frame.

Lastly, the Bid Bonds for both bidders should be retained until a contract is executed with Ben Ciccone, Inc. Upon Ciccone's submittal of acceptable bonds and insurances, and execution of an Agreement, you may then release both Bid Bonds.

I trust that this is adequate for your needs. If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,



Ronald J. Gainer, P.E.

cc: Tina Merando, Town Clerk
Roger Chirico, Highway Superintendent



Ronald J. Gainer, P.E., PLLC

RE: Old Albany Post Road Reconstruction Project

BID RESULTS

Company	Total Bid Amount
Ben Ciccone, Inc. 296 Purchase Street, Rye, NY 10580	\$366,250.00
Whispering Pines Development Corp PO Box 716, Vails Gate, NY 12584	\$373,725.00
Kect Construction Corp PO Box 201, Patterson, NY 12563	\$387,100.00*
Ben Cozzi, Inc d/b/a Northern Construction 1992 Commerce Street, Yorktown Heights, NY 10598	\$398,111.18
Legacy Valve, LLC 14 Railroad Avenue, Valhalla, NY 10595	\$469,550.00
Argenio Brothers, Inc. PO Box 2068, Newburgh, NY 12550	\$482,491.00*
Sun-Up Enterprises, Inc. 151 Daley Road, Poughkeepsie, NY 12603	\$489,688.00
Yonkers Excavating Corp 553 Croton Falls Road, Carmel, NY 10512	\$578,812.00*
Ben Ciccone, Inc. 151 Daley Road, Poughkeepsie, NY 12603	\$643,800.00*
Con-Tech Construction Corp 28 Lakeview Drive, Yorktown Heights, NY 10598	\$1,231,449.77

** mathematical error in bid; corrected total shown*



ADVERTISEMENT FOR BIDS

Town of Philipstown
Town Hall
238 Main Street
Cold Spring, NY 10516

Separate sealed bids for the **Indian Brook Road Culvert Replacement Project** will be received by the Town of Philipstown at the office of the **Town Clerk, 238 Main Street, Cold Spring NY 10516** until **11:00 o'clock AM** local prevailing time on **Thursday, July 18, 2013** and then at said office publicly opened and read aloud.

A prebid meeting will be held at **10:00 o'clock AM** local prevailing time on **Tuesday, July 2, 2013** at **Philipstown Town Hall**.

The Information for Bidders, Form of Bid, Form of Contract, Plans, Specifications, and Forms of Bid Bond, Performance and Payment Bond, and other contract documents may be examined at the following location:

Office of the Town Clerk, 238 Main Street, Cold Spring NY 10516

Copies may be obtained at the office of the Town Clerk located at 238 Main Street upon payment of \$25.00 for each set. Any unsuccessful bidder or non-bidder shall be entitled to a refund of this payment in accordance with Section 102 of the General Municipal Law upon the return of such sets in good condition as determined by the Town.

Each bid shall be accompanied by acceptable form of Bid Guarantee in an amount equal to at least five (5) percent of the amount of the Bid payable to the Owner as a guarantee that if the Bid is accepted, the Bidder will execute the Contract and file acceptable Performance and Payment Bonds within ten (10) days after the award of the Contract.

OWNER RIGHTS RESERVED:

The Town of Philipstown hereinafter called the OWNER, reserves the right to reject any or all Bids and to waive any informality or technicality in any Bid in the interest of the Owner.

STATEMENT OF NON-COLLUSION:

Bidders on the Contracts are required to execute a non-collusion bidding certificate pursuant to Section 103d of the General Municipal Law of the State of New York.

The Town of Philipstown hereby notifies all Bidders that it will affirmatively insure that in regard to any Contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Attention of bidders is particularly called to the requirement as to conditions of employment to be observed and minimum wage rates to be paid under the contract. Bidders are also required to comply with the provisions of Section 291-299 of the Executive Law of the State of New York.

No Bidder may withdraw his bid within 45 days after the actual date of the opening thereof.

19
6/20/2013
Date

BY Tina Merando, Town Clerk