

RESOLUTION

NUMBER 175-05

(RE: **AWARD OF CONTRACT TE 2005.01, "TROLLEY STATION ROUNDABOUT"**)

**WHEREAS**, bids were received on April 1, 2005, at 10:00 AM for "Trolley Station Roundabout" (Contract TE 2005.01); and

**WHEREAS**, bids were received in the amounts shown below:

	<u>Base Bid</u>	<u>Alt. A Bid</u>
Bilotta Construction Corp. 162 Crotona Ave. Harrison, NY 10528	\$1,178,512	\$998,890
Paleen Construction Corp. 1515 Croton Lake Road Yorktown Heights, NY 10598	\$1,260,132	\$1,023,136
ELQ Industries, Inc. 567 Fifth Avenue New Rochelle, NY 10801	\$1,498,175	\$1,229,638
Peckham Road Corporation P.O. Box 849 Carmel, NY 10512	\$1,975,000	\$1,707,500

**WHEREAS**, the lowest responsible bidder, **Bilotta Construction Corp.**, has indicated that providing a Letter of Credit for performance security represents a hardship; and

**WHEREAS**, the Director of Technical Services has reviewed the bids, and recommends awarding a contract to **Bilotta Construction Corp.**; and

**WHEREAS**, the project is 90% financed through New York State and private funding;

**NOW, THEREFORE, BE IT RESOLVED**, that a variance is hereby granted under Section 237-5 of the Town Code and performance and payment bonds may be accepted in lieu of the normally required Letter of Credit; and

**BE IT FURTHER RESOLVED**, that a unit price contract, be awarded to the lowest responsible bidder, **Bilotta Construction Corp.**, for the Base Bid, in the total amount of one million, one hundred seventy eight thousand, five hundred twelve dollars (\$1,178,512.); and

**BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized to execute the contract documents subject to approval of the same by the Town Attorney; and

**BE IT FURTHER RESOLVED**, that the Director of Technical Services is hereby authorized to enter into a professional services agreement with **TRC Raymond Keyes Associates, 7 Skyline Drive, Hawthorne, NY 10532**, for construction support services in an amount not to exceed ten thousand dollars (\$10,000.); and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized to return bid deposits to all bona fide bidders, and upon execution of the contract, their 5% bid bonds; and

**BE IT FURTHER RESOLVED**, that the Town Attorney is hereby authorized to acquire all necessary construction easements from adjoining property owners; and

**BE IT FURTHER RESOLVED**, that the Town Comptroller is hereby authorized to amend the budget accordingly.

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF CORTLANDT  
JO-ANN DYCKMAN  
Town Clerk**

**Adopted on May 17, 2005  
at a Regular Meeting  
Held at the Town Hall**