

**113581**

April 28, 2026

**TO:** Board of Acquisition and Contract

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

**SUBJECT:** Authority to exercise the County's option to extend the term of an agreement with ELQ Industries, Inc. for one three (3) year option period, thereby increasing the amount of the agreement by \$1,500,000.00 and extending the term of the agreement through May 22, 2029. (Contract No. EF-2301)

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By Resolution approved on April 13, 2023 (the "April 13th Resolution"), your Honorable Board awarded Contract No. EF-2301 to ELQ Industries, Inc. ("ELQ"). The April 13th Resolution authorized the County of Westchester (the "County") to enter into Contract No. EF-2301 with ELQ, pursuant to which ELQ was to provide Emergency Repair of Leaks, Westchester County Sewer and Water Districts, Various Locations Throughout Westchester County, New York for the amount of not to exceed \$1,500,000.00, for the period from May 23, 2023 through May 22, 2026, ("Contract No. EF-2301" or the "Agreement"), with the County having the option to extend the Agreement for one (1) three (3) year option period by mutual consent of the Contractor and the County of Westchester. By Resolution approved on October 3, 2024 (the "October 3<sup>rd</sup> Resolution"), your Honorable Board awarded Change Order #1 for Contract No. EF-2301 to ELQ Industries, Inc. ("ELQ"). The October 3<sup>rd</sup> Resolution authorized an increase of \$750,000.00 to the not to exceed amount of \$1,500,000.00 in the original contract, bringing the total not to exceed amount to \$2,250,000.00.

Subsequently, on July 17, 2025, your Honorable Board awarded Change Order No. 2 for Contract No. EF-2301, Emergency Repair of Leaks for Westchester County Sewer and Water Districts at various locations throughout Westchester County, New York to ELQ Industries, Inc. The July 17th Resolution authorized an increase of \$900,000.00, thereby increasing the not-to-exceed amount of \$2,250,000.00. to \$3,150,000.00. Additionally, By Resolution approved on February 19, 2026 (the "February 19th, 2026"), Change Order No.3 increases the amount of \$400,000 to cover the cost of additional required work, which brings the amended Contract amount to a total of \$3,550,000.

The County Department of Environmental Facilities now seeks authority from your Honorable Board to exercise the three (3) year renewal option, and thereby, a.) increasing the amount of the Agreement by \$1,500,000.00 from an amount of \$3,550,000.00 to a new amount of \$5,050,000.00, and b.) extending the termination date of the Agreement from May 22, 2026 to May 22, 2029.

All other terms and conditions of the April 13 Resolution, October 3 Resolution, July 17, 2025, February 19 and the Agreement shall remain in full force and effect and are unchanged.

The goal and/or objective of this contract is for a prompt response to a sewer system or water system failure which requires an immediate repair on a 24/7 basis. Leaks, overflows and breaks of this type

require labor, equipment and repair expertise that the County does not possess and cannot be handled by County personnel and equipment. An immediate repair to these systems is required as the public health, as well as the environment, could be at risk if a repair is not done as soon as possible. Quick response for repairs is critical to prevent a potential health and/or safety problem` or prevent the problem from getting worse. The response and repair work are monitored by representatives of the department throughout the emergency to make sure all applicable regulations, safety precautions and codes regarding the protection of persons and property are adhered to and that a cost-effective project is the end product.

This contract is deemed to fulfill a public purpose as the services provided under this Contract promotes the public health and welfare by insuring prompt repair of damage to the County's Sewer and Water District infrastructure and enables the Department to carry out its basic mission to provide wastewater treatment and maintain satisfactory water quality.

Approval of the attached resolution is respectfully requested.

# RESOLUTION

## Contract No. EF-2301

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

**RESOLVED**, that the County is authorized to exercise its three (3) year renewal option for contract EF-2301 with ELQ Industries, Inc., 567 Fifth Avenue, New Rochelle, NY , 10801, to provide Emergency Repair of Leaks, Westchester County Sewer and Water Districts, Various Locations Throughout Westchester County, New York, and thereby, a.) increase the amount of the Agreement by \$1,500,000.00 from an amount of \$3,550,000.00 to a new amount of \$5,050,000.00, and b.) extend the termination date of the Agreement from May 22, 2026 to May 22, 2029; and be it further

**RESOLVED**, that except as specifically amended hereby, all remaining terms and conditions of the April 13, 2023 Resolution, October 3, 2024 Resolution, July 17, 2025, February 19, 2026 and the Agreement shall remain in full force and effect and unchanged; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute all documents and take all actions necessary to effectuate the purpose hereof.

|                    |                       |
|--------------------|-----------------------|
| Original Agreement | \$1,500,000.00        |
| Change Order #1    | \$ 750,000.00         |
| Change Order #2    | \$ 900,000.00         |
| Change Order #3    | \$ 400,000.00         |
| <br>               |                       |
| This Extension     | <u>\$1,500,000.00</u> |
| TOTAL              | \$5,050,000.00        |

| Account to be Charged/Credited |      |      | Major Program, Program & Phase | Object/    | Trust   | Dollars      |
|--------------------------------|------|------|--------------------------------|------------|---------|--------------|
|                                | Fund | Dept | Or Unit                        | Sub Object | Account |              |
| 2026                           | 221  | 60   | 0110                           | 4310       |         | \$305,400.00 |
| 2027                           | 221  | 60   | 0110                           | 4310       |         | \$500,000.00 |
| 2028                           | 221  | 60   | 0110                           | 4310       |         | \$500,000.00 |
| 2029                           | 221  | 60   | 0110                           | 4310       |         | \$194,600.00 |

Budget Funding Year(s) 2026-2029      Start Date 05/23/2026      End Date 05/22/2029  
 (must match resolution)

|                         |                                |
|-------------------------|--------------------------------|
| Funding Source          | Tax Dollars <u>100% County</u> |
|                         | State Aid _____                |
| <u>\$1,500,000.00</u>   | Federal Aid _____              |
| (must match resolution) | Other _____                    |