



**YONKERS PUBLIC SCHOOLS**  
**COMMODITIES / SERVICES CONTRACT**  
**CONTRACT NUMBER 2021-00000495**

**THIS CONTRACT**, made the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

by and between:

**THE YONKERS PUBLIC SCHOOLS** acting by and through its Board of Education, a school district established pursuant to New York Education Law, having an office and place of business at One Larkin Center, Yonkers, New York 10701 (the "School District"),

(hereinafter referred to as the "School District"),

and

**MENGLER MECHANICAL INC.**, a corporation having an office and principal place of business at address, 1689 Route 22, Brewster, New York 10509,

(hereinafter referred to as "the Contractor").

**W I T N E S S E T H**

**WHEREAS**, the School District desires to obtain On Call district-wide HVAC services as needed, within the City of Yonkers; and

**WHEREAS**, the Contractor desires to provide such services for the compensation and on the terms herein provided;

**WHEREAS**, it is acknowledged and agreed that pursuant to the terms of that certain intermunicipal agreement ("IMA") by and between the School District and the City of Yonkers ("City") as filed in the Office of the City Clerk on June 16, 2014, the terms of the agreement are subject to review and revision by the City's Corporation Counsel, as well as approval, if applicable, by the City's Board of Contract and Supply ("BOCS").

supplement schedules issued by the New York State Labor Department. Furthermore, the Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the New York State Labor Department in accordance with the Labor Law.

**TWENTY-SIXTH:** Failure of the City to insist, in any one or more instances, upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment of such term or condition, but the same shall remain in full force and effect. Acceptance by the City of any Work or the payment of any fee or reimbursement due hereunder with knowledge of a breach of any term or condition hereof, shall not be deemed a waiver of any such breach and no waiver by the City of any provision hereof shall be implied.

**TWENTY-SEVENTH:** All notices of any nature referred to in this Contract shall be in writing and either sent by registered or certified mail postage pre-paid, or delivered by hand or overnight courier, or sent by facsimile (with acknowledgment received and a copy of the notice sent by registered or certified mail postage pre-paid), as set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt. Notices shall be sent to the following:

To the City:

School Facilities Management  
One Larkin Center – 3<sup>rd</sup> floor  
Yonkers, New York 10701  
Attn: Director of School Facilities

with copies to:

Corporation Counsel  
City Hall, Room 300  
40 South Broadway  
Yonkers, New York 10701

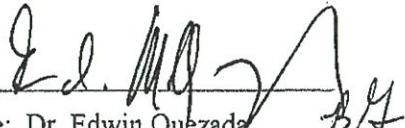
To the Contractor:


Mengler Mechanical Inc.  
1689 Route 22  
Brewster, NY 10509

**TWENTY-EIGHTH:** This Contract and its attachments constitute the entire Contract between the parties with respect to the subject matter hereof and shall supersede all BOE Commodities Services Bid Template Rev 12 07 2020


IN WITNESS WHEREOF: The Superintendent, or his/her authorized designee, on behalf of the City of Yonkers/YPS and the Contractor, have executed this agreement in duplicate for the purposes herein mentioned.

**YONKERS PUBLIC SCHOOLS**

By:   
Name: Dr. Edwin Quezada  
Title: Superintendent of Schools  
Date: 1.26.2021

By:   
Name: Rev. Steve Lopez  
Title: President, Board of Education  
Date: 2/9/21

**MENGLER MECHANICAL INC.**

By:   
Name: John F. Mallon  
Title: President  
Date: 1/21/21

APPROVED AS TO FORM

  
Yonkers Senior Associate Corporation Counsel

**TO BE COMPLETED BY CITY OF YONKERS BUREAU OF PURCHASING**

DATE OF BOE APPROVAL:	12/10/2020 EMDEC
DATE OF B.O.C.S. APPROVAL:	_____
INITIATING DEPARTMENT:	_____
PURCHASING CONTACT:	<u>D.CENSI</u>

**SCHEDULE "B" BID SCHEDULE OF HOURLY RATES  
YONKERS PUBLIC SCHOOLS FACILITIES MANAGEMENT  
ON-CALL EMERGENCY HVAC RESTORATION**

ITEM	ITEMS WITH UNIT BID PRICES WRITTEN IN WORDS	UNIT BID PRICES	
		DOLLARS	CENTS
1.0	HVAC, Foreman, Straight Time, per hour <u>One Hundred Sixty Dollars and 00/100</u> _____ each HOUR	\$160	00
2.0	HVAC, Journeyman, Straight per hour <u>One Hundred Fifty Dollars and 00/100</u> _____ each HOUR	\$150	00
3.0	HVAC, Apprentice, Straight Time, per hour <u>One Hundred Dollars and 00/100</u> _____ each HOUR	\$100	00
4.0	HVAC, Foreman, Overtime, per hour <u>Two Hundred Forty Dollars and 00/100</u> _____ each HOUR	\$240	00
5.0	HVAC, Journeyman, Overtime, per hour <u>Two Hundred Twenty Five Dollars and 00/100</u> _____ each HOUR	\$225	00
6.0	HVAC, Apprentice, Overtime, per hour <u>One Hundred Fifty Dollars and 00/100</u> _____ each HOUR	\$150	00
7.0	Sheet Metal Foreman, Straight Time, per hour <u>One Hundred Sixty One Dollars and 87/100</u> _____ each HOUR	\$161	87

LEGAL NAME OF

CONTRACTOR: Mengler Mechanical, Inc.

ADDRESS: 1689 Route 22, Brewster, NY 10509

PREPARED BY: 

TITLE: President

TELEPHONE NO.: 845-279-7029

EMAIL: jfmallon@menglermech.com

DATE: 1/15/21