



Robert P. Astorino
County Executive

Public Utility Service Agency

Thomas Geiger, Chair

Stewart M. Glass
Executive Director

13291

August 5, 2010

To: Honorable Members of the Board of Acquisition and Contract

From: Stewart M. Glass, Executive Director
County of Westchester Public Utility Service Agency

Re: Authority to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, an agreement with Harvey Arnett d/b/a Arnett Energy for the provision of professional consulting services in connection with various energy issues facing the County, for an amount not-to-exceed Forty Thousand (\$40,000.00) Dollars

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an agreement between the County of Westchester (the "County"), acting by and through the County of Westchester Public Utility Service Agency ("COWPUSA"), and Harvey Arnett d/b/a Arnett Energy, 189 Gordon Road, Carmel, New York 10512 (the "Consultant") for the provision of professional consulting services in connection with various energy issues facing the County, including, but not limited to, the procurement of electricity for use by the County. In particular, the Consultant will assist the County in the review of the rates charged by the Power Authority of the State of New York ("NYPA") and NYPA's proposed rate re-design. It is anticipated that the proposed NYPA Rate Redesign could result in substantial net savings to the County itself and to the other municipal entities in Westchester that procure power from NYPA. The proposed agreement would be for the term June 1, 2010 through May 31, 2011.

The proposed agreement will be for an amount not-to-exceed Forty Thousand (\$40,000.00) Dollars and payable at the rate of Two Hundred (\$200.00) Dollars per hour. The maximum amount that the Consultant may be paid for any single day shall not exceed eight

(8) hours. The Consultant will also be reimbursed for reasonable and customary out-of-pocket expenses.

The Consultant is a licensed Professional Engineer in New York and former Deputy Director of Electric and Gas Rates with thirty five years of experience at the New York State Department of Public Service, including twenty five years as team lead for Con Edison rate issues and ten years as a member of the Commission's Advisory Staff. The Consultant has the experience and technical expertise necessary to assist the County to achieve a range of objectives, particularly, knowledge of the intricacies of the energy market in New York which make him uniquely qualified to assist the County in the above described matters as well as related issues.

Accordingly, it is proposed that the best interests of the County would be served by exempting this agreement from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof. Therefore, a resolution to exempt this procurement is hereby submitted for your consideration.

I recommend approval of the annexed proposed Resolution.

SMG:me
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 9-10-2010 - JANUARY YEAR SECRETARY

RESOLUTION

Upon a communication from the Executive Director of the County of Westchester Public Utility Service Agency, be it hereby

RESOLVED, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an agreement with Harvey Arnett d/b/a Arnett Energy, 189 Gordon Road, Carmel, New York 10512, for provision of professional consulting services in connection with various energy issues facing the County.

APPROVED BOARD OF ACQUISITION & CONTRACT - 9-10-2010 - JOMARY VIEIRA, SECRETARY