

15228

November 10, 2010

TO: Honorable Board of Acquisition and Contract

FROM: John J. Hsu, P.E.
Commissioner of Public Works

SUBJECT: Resolution requesting authority to enter into Agreements with various municipalities within the County for the Removal of Snow and Ice from County Roads by such municipalities for the five (5) year term October 1, 2010 through September 30, 2015 (Agreement No. 10-919)

Authority is respectfully requested for the County of Westchester (the "County") to enter into agreements with various municipalities within the County for the removal of snow and ice from County roads by such municipalities, for the five (5) year term October 1, 2010 through September 30, 2015.

The Board of Legislators authorized the County to enter into these agreements and approved the rates of reimbursement pursuant to Act No. 144-2010 enacted on November 8, 2010. Because these agreements are with municipalities, they are exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)(iii) thereof.

Additionally, these agreements provide for an annual escalation based on CPI, with a cap of 3½% per year, subject to appropriations. As in previous years, payments will be made to each municipality at the end of each season based on lane mileage within the limits of each jurisdiction.

The objective of these agreements is to reimburse local municipalities for snow and ice removal on County roads within their boundaries. These agreements benefit the public by ensuring that County roads are clear of snow and ice for the traveling public, thereby addressing the County Executive's priority area of Safety and Security (SS). There are no energy or environmental components associated with these agreements.

Your approval of the attached resolution is respectfully requested.

JJH/ku
Attachment

RESOLUTION

Upon a communication from the Commissioner of Public Works, be it hereby

RESOLVED, that authority is hereby granted for the County of Westchester (the "County") to enter into agreements with the following municipalities for the removal of snow and ice from County roads by such municipalities for the five (5) year term October 1, 2010 through September 30, 2015 at the rates as approved in Board of Legislators' Act No. 144-2010:

TOWNS

Bedford
Eastchester
Greenburgh
Harrison
Mamaroneck
Mount Pleasant
New Castle
North Castle
North Salem
Ossining
Pound Ridge

CITIES

Peekskill
Rye
White Plains
Yonkers

VILLAGES

Ardsley
Briarcliff Manor
Croton-on-Hudson
Dobbs Ferry
Hastings-on-Hudson
Larchmont
Mamaroneck
Mount Kisco
Ossining
Pelham
Pelham Manor
Pleasantville
Port Chester
Rye Brook
Scarsdale
Tuckahoe

; and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLUTION

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all actions necessary to effectuate the purposes hereof.

Agreement No. 10-919

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
10/01/10 - 09/30/11	101	46	6000	4910		\$434,689.00
10/01/11 - 09/30/12	101	46	6000	4910		\$449,903.12
10/01/12 - 09/30/13	101	46	6000	4910		\$465,649.73
10/01/13 - 09/30/14	101	46	6000	4910		\$481,947.47
10/01/14 - 09/30/15	101	46	6000	4910		\$498,815.63

Budget Funding Year(s) 2010-2015 Start Date 10/01/10 End Date 09/30/15
 (must match resolution)

Funding Source: Tax Dollars 100% County Contractor Federal I.D. No./ Social Security No.: _____

State Aid _____

\$2,331,004.95 Federal Aid _____ Vendor No.: _____

(must match resolution)

Other _____ Encumbrance No.: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 11-23-2010 - JOMARY VIEIRA, SECRETARY