

19894

June 22, 2011

TO: BOARD OF ACQUISITION and CONTRACT

FROM: THOMAS J. LAURO, P.E.
COMMISSIONER ENVIRONMENTAL FACILITIES

SUBJECT: AUTHORIZATION FOR AN EXTENSION OF THE TERM OF THE AGREEMENT WITH TÜV AMERICA, INC., FOR REGISTRAR SERVICES FOR THE CERTIFICATION OF THE DEPARTMENT OF ENVIRONMENTAL FACILITIES' ENVIRONMENTAL MANAGEMENT SYSTEM TO THE ISO 14001 STANDARD, AT NO INCREASE IN FEE

On March 2, 2006, your Honorable Board authorized the County to enter into a contract with TÜV America, Inc. (Technischer Überwachungsverein) of Danvers, Massachusetts, for Registrar Services for the certification of the DEF Environmental Management System to the ISO 14001 Standard (International Organization for Standardization) for the Department of Environmental Facilities for a fee not to exceed \$180,400 and with the term March 1, 2006 to February 28, 2011. TÜV America, Inc. was highly qualified to perform the services required, had experience at wastewater treatment plants and experience at other Westchester County facilities, was the best qualified firm and its projected cost estimate most accurately reflected the services necessary and was one of three firms that submitted a response to the Department's request for proposals on October 20, 2005.

In accordance with its contract, TÜV America, Inc. provided to this Department independent auditing services for the Yonkers Joint Wastewater Treatment Plant (YJWWTP), the Peekskill WWTP, Ossining WWTP; New Rochelle WWTP, Mamaroneck WWTP, Blind Brook WWTP and Port Chester WWTP, and the Yorktown Maintenance Garage, the Rye Maintenance Garage, the Hutchinson Pump Station, the North Yonkers Pump Station, the Tarrytown Pump Station, the Hawthorne Manhole and all activities at the Department's New Rochelle offices pertaining to those facilities. These facilities are now included in the Department's ISO 14001 Certification.

Due to delays in implementing the roll-out of the EnvMS, some of the work associated with the originally approved contract has not yet been completed. Therefore, a request is being made to extend the agreement to a new end date of December 31, 2012

at no increase in fee and with no other change in the terms and conditions of the agreement, so that this work can be completed.

The agreement with TÜV America, Inc. serves a public purpose by enabling this Department to implement and maintain its EnvMS and its ISO 14001 certification and to comply with the Department's "Environmental Policy", thus helping to protect the public health, safety and welfare of the residents of Westchester County.

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/07/2011 - JOMAR VILERA SECRETARY

RESOLUTION

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

RESOLVED, that the agreement with TÜV America, Inc. for Registrar Services for the certification of the DEF Environmental Management System to the ISO 14001 Standard, which was authorized on March 2, 2006 with a term beginning on March 1, 2006 and ending on February 28, 2011, shall be extended to December 31, 2012, is hereby approved; and

RESOLVED, that the amount not-to-exceed under said amended agreement shall remain an aggregate total not-to-exceed amount of \$180,400, consistent with a schedule of work to be attached to and made a part thereof; and

RESOLVED, that all other provisions of the Agreement with TÜV America, Inc. shall remain unchanged; 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

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
					N/A

Budget Funding Year(s) N/A Start Date: March 1, 2011 End Date: December 31, 2012
(must match resolution)

Funding Source

Tax Dollars: N/A

State Aid _____

\$ N/A
(must match resolution)

Federal Aid _____

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/07/2011 - JOMARY VIEIRA, SECRETARY