

20045

DATE: June 23, 2011

TO: Honorable Members of the Board of Acquisition and Contract

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

SUBJECT: Resolution to exempt from the Westchester County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, the amendment to the County's agreement with each of six (6) contractors, pursuant to which the six (6) contractors were to perform a total of up to 2,000 home energy audits, in order to extend the term of each of the six (6) agreements from July 1, 2010 through June 30, 2011 to July 1, 2010 through November 30, 2012 (Agreement No. 10-929)

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy the amendment to the County's agreement with each of six (6) contractors, pursuant to which the term of each of the six (6) agreements (the "Agreements") will be extended from July 1, 2010 through June 30, 2011 to July 1, 2010 through November 30, 2012 (collectively, the "Amendments").

The County has been advised that the six (6) contractors have not yet performed a total of 2,000 home energy audits. The performance of 2,000 home energy audits was a requirement of the grant agreement between the County and the United States Department of Energy (the "Grant Agreement") that provided the funds for, among other things, the 2,000 home energy audits to be performed under the Agreements. Accordingly, it will be necessary for the County to perform all of the 2,000 home energy audits for which these grant funds were originally allocated. The term of the Grant Agreement continues through December 2, 2012, and the United States Department of Energy has given its approval for the home energy audit work to continue during that time. Therefore, the County is seeking to facilitate the continuation of the contractors' performance of the home energy audits.

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

R E S O L U T I O N

Agreement No. 10-929

Upon a communication from the Commissioner of Public Works and Transportation, 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 of Westchester (the "County") in connection with the procurement of the amendment to the County's agreement with each of six (6) contractors, pursuant to which the term of each of the six (6) agreements for the performance of a total of up to 2,000 home energy audits for residential property owners in Westchester County will be extended from July 1, 2010 through June 30, 2011 to July 1, 2010 through November 30, 2012.

Agreement No. 10-929

Account to be Charged/Credited			Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
Fund	Dept.					
263	46		023K	8675	T023	N/A

Budget Funding Year(s) _____ Start Date _____ End Date _____
 (must match resolution)

Funding Source: Tax Dollars _____ Contractor Federal I.D. No./ Social Security No.: _____
 State Aid _____

\$ N/A Federal Aid _____ Vendor No.: _____
 (must match resolution) Other _____ Encumbrance No.: _____
