

20046

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: Authority for the County to amend its 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, 1) 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, and 2) reflect the fact that United Way 211 will no longer be providing any services related to the six (6) agreements (Agreement No. 10-929)

By resolution approved on July 22, 2010 (the "July 22nd Resolution"), your Honorable Board authorized the County of Westchester, acting on behalf of the Westchester/Putnam Workforce Investment Board, (the "County") to enter into an agreement with each of the six (6) contractors listed below, pursuant to which the contractors were to perform a total of up to 2,000 home energy audits for residential property owners in Westchester County, for the period July 1, 2010 through June 30, 2011, for an amount not to exceed \$100.00 per audit and a total aggregate amount not to exceed \$200,000.00:

- 1.) Alternate Design, Inc. d/b/a Bright Homes Energy Ideas
- 2.) Singer Holding Corporation d/b/a Comfort Solutions
- 3.) Green Star Energy Solutions, LLC
- 4.) All HVAC Service Company, Inc.
- 5.) Brighthouse Energy Solutions, LLC
- 6.) Franzoso Contracting, Inc.

By resolution approved on September 16, 2010 (the "September 16th Resolution"), your Honorable Board amended the July 22nd Resolution in order to correct the name of one of the contractors from "Alternate Design, Inc. d/b/a Bright Homes Energy Ideas" to "Bright Energy Ideas, LLC".

By resolution approved on October 28, 2010 (the "October 28th Resolution"), your Honorable Board amended the July 22nd Resolution, as amended by the September 16th Resolution, in order to correct the name of another contractor from "Singer Holding Corporation d/b/a Comfort Solutions" to "Comfortsave Solutions, LLC".

All six (6) agreements authorized by the July 22nd Resolution, as amended by the September 16th Resolution and the October 28th Resolution, were subsequently executed (collectively, the "Six Agreements").

The County has been advised that the six (6) contractors have not yet performed a total of 2,000 home energy audits. The term of the grant agreement between the County and the United States Department of Energy ("USDOE") that provided the funds for the Six Agreements continues through December 2, 2012, and the USDOE has given its approval for the home energy audit work to continue during that time. The County has also been advised that United Way 211 will no longer be providing any services related to the Six Agreements. Therefore, the County respectfully requests that your Honorable Board authorize the County to amend its agreement with each of the six (6) contractors in order to, 1) extend the term of each agreement from July 1, 2010 through June 30, 2011 to July 1, 2010 through November 30, 2012, and 2) reflect the fact that United Way 211 will no longer be providing any services related to the Six Agreements (collectively, the "Amendments").

Except as specifically amended hereby, all remaining terms and conditions set forth in each of the Six Agreements shall remain in full force and effect.

The proposed Amendments will serve a public purpose by providing free home energy audits to residential property owners in Westchester County, thereby giving them the information they need to make their home more energy efficient and reduce their energy costs and usage and their impact on the environment.

The goals and objectives of the proposed Amendments are to provide up to 2,000 home energy audits for residential property owners in Westchester County, as well as simultaneously make those property owners aware of funding opportunities available to them to actually make energy-efficient improvements.

The goals and objectives of the proposed Amendments are in the best interest of the County in terms of health and the environment, as these free home energy audits will provide residential property owners with the information they need in order to make their homes more energy efficient and, as a result, reduce their homes' energy costs and usage and related impacts on the environment. The goals and objectives of the proposed Amendments are also in the best interests of the County in terms of fiscal responsibility, as all of the audits that are to be conducted will be paid for solely by the aforementioned federal grant.

The goals and objectives of the proposed Amendments will be tracked and monitored via submission of a completed audit report signed by the homeowner, follow-up phone call by a customer service representative, and program staff monthly reports.

Authority to exempt these Amendments from the requirements of the Westchester County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, has been submitted to your Honorable Board in accordance with a separate resolution of even date herewith.

Accordingly, I most respectfully recommend approval of the attached resolution.

JH/DB/bdm/nm
Attachment

R E S O L U T I O N

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

RESOLVED, that the County of Westchester, acting on behalf of the Westchester/Putnam Workforce Investment Board, (the "County") is authorized to amend its agreement with each of the following six (6) contractors:

- 1.) Bright Energy Ideas, LLC
- 2.) Comfortsave Solutions, LLC
- 3.) Green Star Energy Solutions, LLC
- 4.) All HVAC Service Company, Inc.
- 5.) Brighthouse Energy Solutions, LLC
- 6.) Franzoso Contracting, Inc.

(the "Six Agreements"), pursuant to which the contractors were to perform a total of up to 2,000 home energy audits for residential property owners in Westchester County, for the period July 1, 2010 through June 30, 2011, for an amount not to exceed \$100.00 per audit and a total aggregate amount not to exceed \$200,000.00, in order to, 1) extend the term of each of the Six Agreements from July 1, 2010 through June 30, 2011 to July 1, 2010 through November 30, 2012, and 2) reflect the fact that United Way 211 will no longer be providing any services related to each of the Six Agreements; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions set forth in each of the Six Agreements shall remain in full force and effect; and be it further

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

Agreement No. 10-929

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	46	023K	8675	T023	\$0.00

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

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

\$0.00 Federal Aid _____ Vendor No.: _____
 (must match resolution)

Other _____ Encumbrance No.: _____
