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September 22, 2011

TO: Honorable Board of Acquisition and Contract

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

Marguerite Beirne
Chief Information Officer

SUBJECT: Authority to enter into an agreement with Bruel & Kjaer EMS, Inc.
to provide support to the Airport Noise and Operations Monitoring System
for a term from April 15, 2011 through April 14, 2016

The Airport Noise and Operations Monitoring System ("ANOMS") is currently used by the Westchester County Airport to monitor compliance with the County's noise abatement programs. ANOMS is comprised of, among other things, a central server and twenty two (22) noise monitors.

The Departments of Public Works and Transportation and Information Technology are of the opinion that Bruel & Kjaer EMS, Inc. ("Bruel") is the sole source for the support of the ANOMS. Bruel has informed the County that the ANOMS hardware/software components are proprietary to the firm on both an intellectual and technical basis. The associated hardware/software combination has been designed by Bruel and used solely to interface with Bruel solutions. As such, the system support can only be provided by Bruel, its qualified engineers and subcontractors. Therefore, we recommend to your Honorable Board that this procurement be treated as a sole source procurement pursuant to Section 9 of the Westchester County Procurement Policy.

Accordingly, authority is requested for the County to enter into an agreement with Bruel to provide support of the ANOMS for a term from April 15, 2011 through April 14, 2016. Payment will be pursuant to an approved budget in annual not-to-exceed amounts as follows:

Year 1	\$161,851.00
Year 2	\$163,726.00
Year 3	\$168,644.00
Year 4	\$173,709.00
Year 5	\$178,926.00

Service and maintenance of the noise monitoring system will benefit the public by continuing to provide a fully integrated system that can track aircraft flight paths and noise levels over the surrounding communities. The primary goal and objective of this agreement is to maintain the existing system and its components. This agreement will be monitored by the Airport Environmental Office and payments will be made on a monthly basis only upon receipt of an invoice from Bruel and confirmation by Airport staff that the system is and has been fully functional.

Payment for this agreement will be made from the Airport Special Revenue Fund, not the County General Fund and will not impact the County tax levy.

We recommend approval of the attached proposed Resolution.

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is authorized to enter into an agreement with Bruel & Kjaer EMS, Inc. ("Bruel") to provide support to the Airport Noise and Operations Monitoring System ("ANOMS") for a term from April 15, 2011 through April 14, 2016; and be it further

RESOLVED, that payment shall be pursuant to an approved budget in annual not-to-exceed amounts as follows:

Year 1	\$161,851.00
Year 2	\$163,726.00
Year 3	\$168,644.00
Year 4	\$173,709.00
Year 5	\$178,926.00; and be it further

RESOLVED, that this procurement is deemed to be a sole source procurement pursuant to Section 9 of the Westchester County Procurement Policy; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any instruments and to take any actions reasonably necessary to implement this Resolution.

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	161	44	4110	4380-06		\$114,645.00 year 2011
	161	44	4110	4380-06		\$163,179.00 year 2012
	161	44	4110	4380-06		\$167,210.00 year 2013
	161	44	4110	4380-06		\$172,232.00 year 2014
	161	44	4110	4380-06		\$177,404.00 year 2015
	161	44	4110	4380-06		\$ 52,186.00 year 2016

Budget Funding Year(s) 2011-2016 Start Date 04/15/2011 End Date 04/14/2016
 (must match resolution)

Funding Source	Tax Dollars	_____
	State Aid	_____
	Federal Aid	_____
<u>\$846,856.00</u> (must match resolution)	Other	<u>Airport Special Revenue Fund</u>