

28280

July 20, 2012

TO: Board of Acquisition and Contract

FROM: George N. Longworth
Commissioner-Sheriff

Re: Resolution to exempt the County of Westchester, acting by and through its Department of Public Safety Services, from the policies and procedures of the County Procurement Policy for an agreement with Wheelabrator Westchester, L.P. for the disposal and incineration of solid waste/evidence and household pharmaceuticals pursuant to Section 3(a)xxi of said Policy

Pursuant to a resolution approved on November 24, 2009 your Honorable Board exempted from the County's Procurement Policy, pursuant to Section 3(a)xxi of said Policy, an agreement between the County of Westchester, acting by and through the Department of Public Safety Services ("Department"), to enter into an agreement with Wheelabrator Westchester, L.P. ("Wheelabrator") for the disposal and incineration of solid waste/evidence and household pharmaceuticals that must be witnessed by a police officer at the time of disposal for the period October 1, 2009 through September 30, 2012 for a total contract amount not-to-exceed Twelve Thousand Three Hundred (\$12,300.00) Dollars (the "Agreement"). The Agreement was subsequently executed.

The County now seeks to amend the aforesaid Agreement in order to: (1) extend the term of the agreement for an additional 3 years for a new contract termination date of September 30, 2015, and (2) increase the contract not-to-exceed amount by an additional Twelve Thousand Three Hundred (\$12,300.00) Dollars.

Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, where this Honorable Board determines, by resolution passed prior to the commencement of procurement, that compliance with the Westchester County Procurement Policy would not be in the best interests of the County, the requirements of the policy may be waived.

Wheelabrator is the only licensed resource recovery facility in Westchester County that allows police officers to witness burns (which is a requirement when burning certain items). Given the increased costs associated with travel time to supervise burns outside the County of Westchester and the fact that the County has entered into a ten year agreement

with Wheelabrator to operate the resource recovery facility, I believe it is in the County's best interest to enter into this amended agreement.

Accordingly, it is proposed that the best interests of the County would be served by exempting this agreement from the procedures of the County's Procurement Policy. A resolution to exempt this amended agreement from procurement is hereby submitted for your consideration. Based upon the foregoing, I most respectfully recommend approval of the attached Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/16/2012 - JOMAR VILLERA SECRETARY

RESOLUTION

Upon communication from the Commissioner-Sheriff of Public Safety, it is hereby

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, it is 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 in connection with the procurement of Wheelabrator Westchester, L.P. for the disposal and incineration of solid waste/evidence and household pharmaceuticals that must be witnessed by a police officer at the time of disposal.

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/10/2017 - JAMES VIENA, SECRETARY