

32932

To: The Board of Acquisition and Contract

From: Thomas J. Lauro
Commissioner of Environmental Facilities

Date: March 19, 2013

Re: Resolution authorizing the County of Westchester to enter into an agreement with Renaissance Instruments to provide maintenance and calibration of leachate flow meters located at the Sprout Brook Ash Disposal Facility, Cortlandt, New York for a term April 1, 2013 through March 31, 2016 for an amount not to exceed \$196,377.00 payable at the rate of \$65,459.00 annually

Transmitted herewith is a resolution requesting authority for the County of Westchester to enter into an agreement with Renaissance Instruments to provide maintenance and calibration of leachate flow meters located at the Sprout Brook Ash Disposal Facility, Cortlandt, New York for a term April 1, 2013 through March 31, 2016 for an amount not to exceed \$196,377.00 payable at the rate of \$65,459.00 annually and two, one-year extensions at the County's option at \$68,732.00 and \$70,795.00, respectively.

Regular calibration of the meters is required for the County to submit annual and quarterly reports to the New York State Department of Environmental Conservation ("NYSEC").

Renaissance Instruments was the sole bidder. The Department of Environmental Facilities is of the opinion that Renaissance Instruments was the only bidder for maintenance and calibration of the DataGator Flowmetering System installed at the Sprout Brook facility because it is the exclusive manufacturer and seller of this system; is it the only entity authorized to service the system; it holds patent rights to the flow tube design used in the system; it is the sole owner of the copyrights to the system; and it has not authorized any third party to manufacture, market or service the system.

The maintenance and calibration of these flow meters will assure the public that the County of Westchester is in compliance with NYSDEC regulations and that Westchester County is operating an environmentally sound and safe landfill.

The objective of this contract is to monitor the leachate flow to ensure that there is no groundwater contamination. The Department will review all report prepared by Renaissance Instruments before sending to NYSDEC.

As I believe this agreement to be in the best interests of the County, I most respectfully urge your Honorable board to approve the attached resolution.

TJL/MP/ns

RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to enter into an agreement with Renaissance Instruments to provide maintenance and calibration of leachate flow meters located at the Sprout Brook Ash Disposal Facility, Cortlandt, New York for a term April 1, 2013 through March 31, 2016 for an amount not to exceed \$196,377.00 payable at the rate of \$65,459.00 annually; and two one-year extensions at the County's option at \$68,732.00 and \$70,795.00, respectively.

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement 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 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 the above agreement on behalf of the County of Westchester; and to take all other action necessary to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	251	60	7100	4380		\$49,094
	251	60	7100	4380		\$65,459
	251	60	7100	4380		\$65,459
	251	60	7100	4380		\$16,365

Budget Funding Year(s) Start Date 4/1/2013 End Date 3/31/2016
 (must match resolution)

Funding Source Tax Dollars 100%

State Aid _____

\$ 196,377 Federal Aid _____

(must match resolution) Other _____