

Robert P. Astorino
County Executive

Department of Environmental Facilities

Thomas J. Lauro, P.E.
Commissioner

36573

DATE: October 21, 2013

TO: Board of Acquisition and Contract

FROM: Thomas J. Lauro, P.E.
Commissioner, Department Of Environmental Facilities

RE: **Resolution to extend a contract with Genserve Inc. (the “Contract”) for one additional two-year term commencing January 01, 2014**

A resolution was approved on 12/15/2011 that authorized the County to enter into a contract (EF-1105) with Genserve Inc. (“Genserve”), low bidder, for Maintenance and Service of Emergency Generators, Various Locations, Westchester County, New York for a two-year period.

During the term of the original contract, Genserve has provided satisfactory service to the County. Accordingly, authority is also requested to exercise the option to extend the contract for additional two-year period in the amount of \$478,778, by mutual consent of the Contractor and the County of Westchester with all pricing, terms and conditions remaining the same as provided for in the original contract document.

The goals and objectives of the contract are to obtain services that will allow the Department to maintain its emergency generators with minimal breakdowns. During the two year term of the contract, Department representatives will track and monitor the required preventive maintenance, and necessary repairs using written service reports which will be signed by Maintenance Superintendents. These service reports are to be submitted with each payment request. The Contractor will be responsible to comply with all applicable regulations and codes.

This contract is deemed to fulfill a public purpose as the service provided under this Contract promotes the public health and welfare by insuring proper operation of the County’s Wastewater Treatment Plants and enables the Department to carry out its basic mission to provide wastewater treatment and maintain satisfactory water quality.

Approval of the attached resolution is respectfully requested.

RESOLUTION

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

RESOLVED: the resolution dated November 17, 2011 authorizing a contract (EF-1105) with Genserve Inc. (the "Contract") Maintenance and Service of Emergency Generators, Various Locations, in Westchester County for a two-year period is hereby amended to include the option to extend the contract for one additional two-year period, by mutual consent of the Contractor and the County of Westchester with all pricing, terms and conditions remaining the same as the original contract; and be it further

RESOLVED: the County is authorized to extend the Genserve Contract for one additional two-year term commencing January 1, 2014 at a cost not to exceed \$478,778 as provided in the bid document; and be it further

RESOLVED: All other terms of the Genserve contract shall remain the same; and be it further

RESOLVED, that this contract extension is subject to annual appropriations; and be it further

RESOLVED, that this Agreement is also 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 budget of the State of New York and/or the adoption of the State Budget or any amendments thereto, and after the County has a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of such State Budget on County finances. After such 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 such 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 duly authorized designee is hereby authorized to execute any and all instruments and take all actions necessary to accomplish the purpose hereof.

Account to be Charged/Credited	Major Program, Program & Phase		Object/	Trust	Dollars
	Fund	Dept	Sub Object	Account	
2014	221	60	0110	4380	\$239,389
2015	221	60	0110	4380	\$239,389

Budget Funding Year(s) 2014-2015 Start Date 01/01/2014 End Date 12/31/2015
(must match resolution)

Funding Source	Tax Dollars <u>100% County</u>
	State Aid _____
<u>\$478,778</u>	Federal Aid _____
(must match resolution)	Other _____