

37866

**TO:** Board of Acquisition and Contract

**FROM:** Kathleen M. O'Connor  
Commissioner, Department of Parks, Recreation and Conservation

**DATE:** January 13, 2014

**SUBJECT:** Resolution to Award to the Low Bidder  
Contract No. PRC-911  
Service Contract for Andover DDC Systems for Buildings at  
Various Parks, Recreation and Conservation Facilities  
Westchester County, New York  
**Contractor:** Energy Management of Facilities, Inc. dba EMF  
**Amount:** \$89,340.00

On January 8, 2014, two (2) bids were received and opened for Contract No. PRC-911 for Service Contract for Andover DDC Systems for Buildings at Various Parks, Recreation and Conservation Facilities, Westchester County, New York.

The bids were reviewed by the Department and it was determined that Energy Management of Facilities, Inc. dba EMF submitted the low bid in the amount of \$89,340.00.

The low bidder has been investigated and it has been found that Energy Management of Facilities, Inc. dba EMF:

- Performed satisfactory work in the past for the County.  
 Past experience has been investigated and found satisfactory.

Funds for this project are available in the:

- Capital Budget  
 Non-Recurring Budget  
 Operating Budget

The objective of this contract is to ensure that the Direct Digital Control System is operating within specified parameters.

This contract is in the public's best interest because it will promote the health and safety of the general public by maintaining heat and air conditioning within specified parameters.

This project will provide an energy savings by managing building temperatures and fuel consumption, thus addressing the County Executive's priority areas: Health and the Environment (HE) and Fiscal Responsibility (FR).

As expenditures are made pursuant to this authorization, detailed records will be kept in the County's on-line financial system. These records will be easily accessible by Finance, Budget and department staff and will be reviewed regularly to ensure that funds are used appropriately.

This contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County.

It is my recommendation that Contract No. PRC-911 be awarded to Energy Management of Facilities, Inc. dba EMF in the amount of \$89,340.00, subject to appropriations.

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/06/2014 - NOMARY VEIRA, SECRETARY

# RESOLUTION

Upon a communication from the Commissioner of Parks, Recreation and Conservation, be it hereby

**RESOLVED**, that Contract No. PRC-911 for Service Contract for Andover DDC Systems for Buildings at Various Parks, Recreation and Conservation Facilities, Westchester County, New York be and is hereby awarded to the low bidder, Energy Management of Facilities, Inc. dba EMF, Box 176, 5W Cross Street, Hawthorne, New York 10532, in the amount of \$89,340.00; and be it further

**RESOLVED**, that as set forth in the Contract No. PRC-911 bid specifications this contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County; and be it further

**RESOLVED**, that this contract is subject to County 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 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 an analysis of the impacts of any 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 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 and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Original Agreement \$89,340  
 First Amendment \$  
**This Amendment** \$ \_\_\_\_\_  
 TOTAL \$89,340

Agreement #

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars	
165	42	7150	4380		\$27,298.34	2014
165	42	7150	4380		\$29,780.00	2015
165	42	7150	4380		\$29,780.00	2016
165	42	7150	4380		\$ 2,481.66	2017

Budget Funding Year(s) 2014-2017 Start Date 2/1/2014 End Date 1/31/2017  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_ x \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 \$ 89,340 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT, 02/06/2014, JIMMY VIEIRA, SECRETARY