



Robert P. Astorino
County Executive

Public Utility Service Agency

Vincent C. Vesce, Chair

38121

Date: January 23, 2014

To: Board of Acquisition and Contract

From: Vincent C. Vesce, Chair
County of Westchester Public Utility Service Agency

Re: Authority to amend an agreement with Timothy S. Carey to provide consulting services to the County and the County of Westchester Public Utility Service Agency, for the period January 1, 2013 through December 31, 2013, in order to increase the amount not-to-exceed by \$10,000.00, to a new not-to-exceed amount of \$60,000.00

By a resolution approved on February 21, 2013, your Honorable Board authorized the County of Westchester (the "County"), acting by and through the County of Westchester Public Utility Service Agency ("COWPUSA"), to enter into an agreement with Timothy S. Carey, pursuant to which Mr. Carey was to provide consulting services to the County and COWPUSA, including, among other things, serving as legislative liaison at the County, State, and Federal levels; serving as Executive Director of COWPUSA; and preparing and presenting statements and position papers before Federal, State, and other agencies, authorities, and commissions, for the period January 1, 2013 through December 31, 2013, for an amount not-to-exceed \$50,000.00, payable at a rate of two hundred dollars (\$200.00) per working hour (the "Agreement"). The Agreement was subsequently executed.

On October 22, 2013, COWPUSA's Commissioners, at a duly constituted meeting, voted to authorize the payment of up to an additional \$10,000.00 to Mr. Carey under the Agreement, due to the extensive amount of time Mr. Carey had to allocate to the rate cases filed simultaneously by Consolidated Edison Company of New York, Inc. ("Con Ed") for increases in electric, gas, and steam rates (the "Rate Cases").

Accordingly, authority is respectfully requested for the County to amend the Agreement in order to increase the not-to-exceed amount thereof by \$10,000.00, from an amount not-to-exceed \$50,000.00 to a new amount not-to-exceed \$60,000.00 (the "First Amendment").

The additional funds for the Agreement will be paid in full from COWPUSA's account and will not involve an expenditure of taxpayer funds. Authority for the First Amendment was not sought earlier simply because COWPUSA was entirely focused on achieving a favorable outcome for the County in the Rate Cases. Recently, the Rate Cases moved very close to such a favorable outcome, thereby freeing additional time to seek from your Honorable Board the authority for the First Amendment.

The proposed amendment will serve a public purpose by ensuring that the County and COWPUSA can pay for the consulting services that have been necessary for COWPUSA to ensure the promotion of sound energy policy, ensure that COWPUSA serves its intended purpose, and ensure the proper administration of the Business Incentive Rate program, which provides low cost power to businesses in Westchester, thereby assuring their continued operations in the County.

The goal and objective of the proposed amendment is to ensure that the County and COWPUSA can pay for the consulting services that have been necessary for COWPUSA to ensure the promotion of sound energy policy, ensure that COWPUSA serves its intended purpose, and ensure the proper administration of the Business Incentive Rate program, which provides low cost power to businesses in Westchester, thereby assuring their continued operations in the County.

The goal and objective of the proposed amendment is in the best interests of the County in terms of fiscal responsibility as it will ensure that the County and COWPUSA can pay for the consulting services that have been necessary for COWPUSA to ensure the promotion of sound energy policy, ensure that COWPUSA serves its intended purpose, and ensure the proper administration of the Business Incentive Rate program, all of which is intended to ultimately be financially beneficial to the County.

The goal and objective of the proposed amendment will be tracked by the Chair of COWPUSA.

I respectfully recommend the adoption of the attached Resolution.

VCV/bdm/nn

RESOLUTION

Upon a communication from the Chair of the County of Westchester Public Utility Service Agency, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through the County of Westchester Public Utility Service Agency ("COWPUSA"), is hereby authorized to amend an agreement with Timothy S. Carey, pursuant to which Mr. Carey was to provide consulting services to the County and COWPUSA, including, among other things, serving as legislative liaison at the County, State, and Federal levels; serving as Executive Director of COWPUSA; and preparing and presenting statements and position papers before Federal, State, and other agencies, authorities, and commissions, for the period January 1, 2013 through December 31, 2013, for an amount not-to-exceed \$50,000, payable at a rate of two hundred dollars (\$200.00) per working hour, in order to increase the not-to-exceed amount thereof by \$10,000.00, from an amount not-to-exceed \$50,000.00 to a new amount not-to-exceed \$60,000.00; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purpose hereof.

Account to be Charged/Credited

		Major Program, Program & Phase	Object/	Trust	
Fund	Dept	Or Unit	Sub Object	Account	Dollars
					\$10,000.00

Budget Funding Year(s) 2013 Start Date 01/01/13 End Date 12/31/13
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$10,000 Federal Aid _____
 (must match resolution) Other COWPUSA funds _____