

**39362**

To: BOARD OF ACQUISITION AND CONTRACTS  
From: THOMAS J. LAURO, P.E.  
COMMISSIONER, ENVIRONMENTAL FACILITIES  
Date: March 25, 2014

SUBJECT: AUTHORITY TO ENTER INTO AN AGREEMENT WITH FIRST ENVIRONMENT, INC. FOR COMPLIANCE AUDITING SERVICES FOR THE DEPARTMENT OF ENVIRONMENTAL FACILITIES ISO 14001 REGISTERED ENVIRONMENTAL MANAGEMENT SYSTEM, FOR A TERM APRIL 1, 2014 TO DECEMBER 31, 2016 FOR A FEE NOT TO EXCEED \$100,255 PAYABLE PURSUANT TO AN APPROVED BUDGET

Westchester County Department of Environmental Facilities distributed a Request for Proposals ("RFP") on March 10, 2014 to three experienced auditing firms it identified to assist in completing an assessment of its compliance with applicable legal and other requirements pursuant to the ISO 14001 Standard for its facilities and operations. The RFP directed proposals were to be submitted no later than March 21, 2014.

On or before March 21, 2014 only one proposal was received. That proposal was submitted by First Environment, Inc. First Environment has provided compliance auditing services to the Department in the past and continues to be qualified to provide these services. Their proposed cost is reasonable for the scope of services requested.

The term of the agreement is for two years and eight months, April 1, 2014 through December 31, 2016, encompassing one compliance audit under the current certification ( which expires December 2014), and two subsequent annual compliance audits, thereby covering one complete three year certification cycle.

Therefore, authority is requested to enter into an agreement with First Environment, Inc. for compliance auditing services for the DEF ISO 14001 registered Environmental Management System for a fee not to exceed \$100,255, payable pursuant to an approved budget.

Approval of the enclosed resolution is respectfully requested.

**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 First Environment, Inc. for compliance auditing services for the DEF ISO 14001 registered Environmental Management System for a fee not to exceed \$100,255, payable pursuant to an approved budget for the term April 1<sup>st</sup> 2014 through December 31<sup>st</sup> 2016

**RESOLVED**, that this Agreement 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 to execute any documents and take any actions necessary and appropriate to effectuate the purposes of this resolution.

Account to be Charged/Credited

Year	Fund	Dept	Major Program, Program & Phase or Unit	Object/Sub-Object	Trust Account	Dollars
2014	221	60	0110	4420		\$61,016
2015	221	60	0110	4420		\$18,800
2016	221	60	0110	4420		\$20,439

**Budget Funding Years(s)** 2014 – 2016 **Start Date:** 04/01/2014 **End Date:** 12/31/2016

Funding Source

Tax Dollars \$100,255  
 State Aid: \_\_\_\_\_  
 Federal Aid: \_\_\_\_\_  
 Other: \_\_\_\_\_

\$ 100,255  
 (must match resolution)