

39977

TO: Board of Acquisition and Contract

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

DATE: April 18, 2014

SUBJECT: Resolution to exempt from the Westchester County Procurement Policy an Agreement between the County of Westchester, to enter into an agreement with Energy Curtailment Specialists, Inc., in order to participate in an energy reduction pilot program, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement an Agreement with Energy Curtailment Specialists, Inc., in order for the County to participate in a pilot program to reduce energy, having a term of one (1) year, commencing on May 1, 2014 and terminating on April 30, 2015, to be paid in accordance with contract rates.

Ordinarily, under Section 6 of the Procurement Policy, the County is required to issue a Request For Proposals for such services. It is proposed that compliance with the Procurement Policy would not be in the best interests of the County with respect to this procurement because the proposed agreement will benefit the County since the County will receive revenue for participating in the program and will also protect the electrical grid and reduce energy consumption during peak hours. In order to meet the deadline to enter into an agreement for the Summer of 2014, such agreement must be entered into immediately. This cannot be done without this exemption and not allowing such exemption would preclude the Department from receiving revenue payments for the summer of 2014. The Department's aim is to enter into an agreement for this one locations as a pilot program. If this pilot is successful the Department would look to issue an RFP for this and other locations beginning with the summer of 2015. If successful, other County Departments may also be able to capitalize on a similar program in future years. This would further reduce the energy consumption in the County of Westchester during peak hours and provide an additional funding stream as well.

Pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that Energy Curtailment Specialists, Inc. is uniquely qualified for this pilot program to reduce energy and that the best interests of the County would be served by exempting this agreement from the procedures of the County's Procurement Policy. A resolution to exempt this agreement from procurement is hereby submitted for your consideration.

TJL/jpi

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/08/2014 - JONATHAN M. ALPERT, SECRETARY

RESOLUTION

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

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an agreement with Energy Curtailment Specialists, Inc., in order to participate in a pilot program to reduce energy.

Account to be Charged/Credited:

		Major Program, Program & Phase	Object/ Trust		
Fund	Dept.	Or Unit	Sub Object	Account	Dollars
		N/A			

Budget Funding Year(s): _____ Start Date: _____ End Date: _____

Funding Source

\$ _____
(must match resolution)

Tax Dollars _____
State Aid _____
Federal Aid _____
Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/08/2014 - JOSEPH VIEIRA SECRETARY