

April 18, 2019

69034

To: The Honorable Board of Acquisition and Contract

From: John P. Gaccione
Deputy Director of Consumer Protection

Re: **Authority for the County of Westchester to amend an agreement with the State of New York for Petroleum Product Testing Services by extending the term of the agreement for an additional five years to March 31, 2024 for a total dollar amount not to exceed \$132,060.00.**

Transmitted herewith is a Resolution requesting authority to enter into an amendment to an agreement ("Agreement") with New York State ("State") to provide petroleum product testing services by extending the term for an additional 5 years until March 31, 2024.

Section 179, Subdivision 19, of the New York Agriculture and Markets Law provides that the State has the responsibility for the sampling, inspection and testing of petroleum products to meet specified quality standards. This function is conducted through municipal weights and measures officials (the County Sealer of Weights and Measures) across the state.

Authority is therefore requested for the County of Westchester to extend the Agreement with the State to provide sampling, inspection and testing services for the described petroleum product quality program for fuel stored at retail outlets. For the services provided by the County, the State will reimburse the County for its costs at a rate of \$26,412 per year for the additional five (5) year extension term.

Pursuant to Section 3(a) (iii) of the County's Procurement Policy, contracts with the State of New York or any political subdivision, agency or instrumentality thereof are exempt from the County's Procurement Policy.

The services to be performed by the County's Department of Consumer Protection are well within its capabilities. The goal and objective of this extension of the agreement is to inspect and test fuel samples at retail outlets throughout the county.

The County receives money under this contract to reimburse it for the time expended by its Weights & Measures inspectors in collecting petroleum product samples. Accordingly, approval of the attached resolution is respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/16/2019 - LISA BRIJAJ, SECRETARY

RESOLUTION

Upon a communication from the Deputy Director of Consumer Protection/Weights and Measures, be it

RESOLVED, that the County of Westchester ("County") be, and hereby is, authorized to amend an agreement with the State of New York (the "State") wherein the County collects, samples, inspects and tests petroleum products on behalf of the State in accordance with Section 179 of the New York Agriculture and Markets Law to continue these services for an additional five (5) year period until March 31, 2024, for a total amount of \$132,060 payable by the State to the County, whereby the State will reimburse the County for its costs at a rate of \$26,412 per year for the additional five (5) year period; and be it further

RESOLVED, that all other terms and conditions of the Agreement, except as stated above, shall remain the same, and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes of this resolution.

Original Agreement \$ 132,060
 Amendment \$ 132,060
 TOTAL \$ 264,120

Agreement # **C011549**

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	25	0200	9289		\$132,060

Budget Funding Year(s) 2019-2024 Start Date 4/1/2019 End Date 3/31/2024
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$ 132,060 Federal Aid _____
 (must match resolution) Other \$132,060 Revenue _____