

Date: February 8, 2010

To: Honorable Board of Acquisition and Contract

From: Lawrence C. Salley
Commissioner of Transportation

Re: Authority to exempt from the Westchester County Procurement Policy and Procedures an agreement with TUV America, Inc. to perform an ISO 14001 recertification audit and surveillance audit of Westchester County Airport.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an agreement with TUV America, Inc. to perform an ISO 14001 recertification audit and surveillance audit of Westchester County Airport for a term from January 1, 2010 thru December 31, 2010 for an amount not to exceed \$20,000 payable pursuant to an approved budget.

Since 2004 Westchester County Airport has been one of the few airports in the nation to be registered to ISO 14001. TUV America has been involved in the certification and recertification of the airport since that time. Ordinarily, under Section 5(a) of the Procurement Policy, the County would be required to solicit written or oral quotations from no fewer than three persons customarily providing the required services before entering into another agreement for the recertification audit and surveillance audit. However, given TUV America's previous service, it has extensive knowledge of the airport's Environmental Management System and the various departments and parties involved therein. TUV America is thus uniquely qualified to perform these audits. It should also be noted that in 2007, the Department of Transportation initiated a Request for Proposals for an ISO 14001 recertification audit and two surveillance audits of the airport. The RFP was advertised on the County's website and three companies submitted proposals. TUV America was selected on the basis of having submitted the most responsive proposal and the lowest cost.

Pursuant to Section 3 (a) xxi thereof, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which your 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 the best interests of the County would be served by exempting the procurement of this agreement from the Procurement Policy. Accordingly, a resolution to exempt the procurement of an agreement with TUV America is hereby submitted for your Honorable Board's consideration.

LCS/DLV/dv

APPROVED BOARD OF ACQUISITION & CONTRACT - 2-25-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon communication from the Commissioner of Transportation, 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 price quotations, 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 TUV America, Inc. to perform an ISO 14001 recertification audit and surveillance audit of Westchester County Airport.

APPROVED BOARD OF ACQUISITION & CONTRACT - 2-25-2010 - JOMARY VIEIRA, SECRETARY