

77881

DATE: July 10, 2020

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

SUBJECT: Authorization for the County to: 1) consent to the assignment of Contract 16-206, dated May 23, 2017, for Countywide Water Treatment Services, Westchester County, New York, from Cascade Water Services, Inc. to Nalco Company, LLC, 2) exercise its option to renew Contract 16-206 for an additional two (2) year renewal period from June 1, 2020 to May 31, 2022, and 3) increase the amount of the agreement by \$237,050.00 to a total not to exceed of \$592,625.00.

By resolution approved on May 23, 2017 (the "May 23rd Resolution"), your Honorable Board awarded Contract No. 16-206 for Countywide Water Treatment Services, Westchester County, New York to Cascade Water Services, Inc. ("Cascade"), in the amount of \$355,575.00 for a term of three (3) years with one two (2) year renewal at the discretion of the County ("Contract. 16-206").

Pursuant to the May 23rd Resolution, the County entered into Contract 16-206 for a term of June 17, 2017 to May 31, 2020 for the not to exceed amount of \$355,575.00 with the County having the option to renew the agreement for one (1) additional two (2) year renewal period.

Upon a communication from Cascade, the County was informed that Ecolab Inc. acquired Cascade and merged it with Nalco Company LLC under the name Nalco Company LLC, a Delaware limited liability company, which is authorized to do business as a foreign corporation in the State of New York. Pursuant to the terms of Contract 16-206, any assignment of Contract 16, 206 requires the written consent of the County.

Therefore, the County now seeks authority from your Honorable Board to 1) consent to the assignment of Contract 16-206, effective November 5, 2019, from Cascade to Nalco Company LLC to provide Countywide Water Treatment Services for Westchester County, New York; 2) exercise its option to renew Contract 16-206 for an additional two (2) year renewal period from June 1, 2020 to May 31, 2022; and 3) increase the amount of Contract 16-206 by \$237,050.00 from an amount of \$355,575.00 to a new total not to exceed of \$592,625.00.

All other terms and conditions of the May 23rd Resolution and Contract 16-206 shall remain in full force and effect and unchanged.

Board of Acquisition and Contract
Contract No. 16-206
Countywide Water Treatment Services
Westchester County, New York
Page 2

Contract 16-206 is in the public's best interest because it will promote the health and safety of the general public by preventing bacterial growth and corrosion of the systems using environmentally friendly chemicals and will reduce the County's annual maintenance costs.

As expenditures are made pursuant to this authorization, detailed records will be kept in the County's on-line financial system. These records will be easily accessible by Finance, Budget and department staff and will be reviewed regularly to ensure that funds are used appropriately.

Payment for a portion of this contract will be made from the Airport Special Revenue Fund, not the County General Fund and will not impact the County tax levy.

Accordingly, I most respectfully recommend the adoption of the annexed proposed Resolution.

HJG/RAN
Encl.

APPROVED BOARD OF ACQUISITION & CONTRACT 05/05/2020 LESLIE MARIJAJ, SECRETARY

RESOLUTION

CONTRACT NO. 16-206

Upon a communication from the Commissioner of the Department of Public Works and Transportation, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Public Works and Transportation (the "Department"), is hereby authorized to: 1) consent to the assignment of Contract No. 16-206, dated May 23, 2017, for Countywide Water Treatment Services, Westchester County, New York ("Contract No. 16-206") from Cascade Water Treatment Services, Inc. ("Cascade") to Nalco Company LLC, with the assignment being effective November 5, 2019; 2) exercise its option to renew Contract 16-206 for a two (2) year renewal term commencing on June 1, 2020 and terminating on May 31, 2022; and 3) increase the amount of Contract 16-206 by \$237,050.00 from an amount of \$355,575.00 to a new amount not to exceed \$592,625.00; and be it further

RESOLVED, that as a condition of granting its consent to the assignment, Nalco Company LLC will comply with all terms and conditions of Contract No. 16-206, and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the May 23 2017 Resolution and Contract No. 16-206 shall remain in full force and effect and unchanged; and be it further

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

Original Agreement	\$355,575.00
This Amendment	<u>\$237,050.00</u>
TOTAL	\$592,625.00

RESOLUTION

Contract No. 16-206

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3400	4380		\$25,792.08 (2020)
	101	46	3200	4380		\$24,500.00 (2020)
	101	46	3300	4380		\$ 7,379.17 (2020)
	101	46	6500	4380		\$ 154.58 (2020)
	161	44	4110	4380		\$ 1,041.25 (2020)
	010	34	0240	4408		\$ 3,266.67 (2020)
	165	42	5520	4380		\$ 732.08 (2020)
	165	42	5540	4380		\$ 3,208.33 (2020)
	165	42	7150	4380		\$ 3,065.42 (2020)
	101	46	3400	4380		\$44,215.00 (2021)
	101	46	3200	4380		\$42,000.00 (2021)
	101	46	3300	4380		\$12,650.00 (2021)
	101	46	6500	4380		\$ 265.00 (2021)
	161	44	4110	4380		\$ 1,785.00 (2021)
	010	34	0240	4408		\$ 5,600.00 (2021)
	165	42	5520	4380		\$ 1,255.00 (2021)
	165	42	5540	4380		\$ 5,500.00 (2021)
	165	42	7150	4380		\$ 5,255.00 (2021)
	101	46	3400	4380		\$18,422.92 (2022)
	101	46	3200	4380		\$17,500.00 (2022)
	101	46	3300	4380		\$ 5,270.83 (2022)
	101	46	6500	4380		\$ 110.42 (2022)
	161	44	4110	4380		\$ 743.75 (2022)
	010	34	0240	4408		\$ 2,333.33 (2022)
	165	42	5520	4380		\$ 522.92 (2022)
	165	42	5540	4380		\$ 2,291.67 (2022)
	165	42	7150	4380		\$ 2,189.58 (2022)

Budget Funding Year(s) 2020-2022 **Start Date:** June 1, 2020

End Date: May 31, 2022

Funding Source: Tax Dollars \$233,480.00 County

State Aid _____

\$237,050.00 _____ **Federal Aid** _____
 (must match resolution)

Other \$3,570.00 Airport Special Revenue Fund