

TO: BOARD OF ACQUISITION AND CONTRACT

FROM: LAWRENCE C. SALLEY
COMMISSIONER OF TRANSPORTATION

MARGUERITE C. BEIRNE
CHIEF INFORMATION OFFICER

DATE: APRIL 12, 2010

SUBJECT: AUTHORITY TO AMEND AN AGREEMENT WITH LOCHARD
CORPORATION FOR SUPPORT OF THE AIRPORT NOISE & OPERATIONS
MONITORING SYSTEM AT WESTCHESTER COUNTY AIRPORT IN
ORDER TO EXERCISE THE COUNTY'S SECOND RENEWAL OPTION

On April 13, 2006, your Honorable Board approved a resolution authorizing the County to enter into an agreement with Lochard Corporation ("Lochard") for services to maintain and support the Airport Noise and Operations Monitoring System ("ANOMS") at Westchester County Airport for a term commencing on April 15, 2006 and expiring on April 14, 2009 for an aggregate amount not to exceed \$427,490, with options for two (2) additional one (1) year renewals with payment in the first renewal year not to exceed \$151,131 and payment in the second renewal year not to exceed \$155,665. This agreement was amended December 18, 2008 through an approved resolution allowing the County to exercise the 1st renewal option and to add two additional noise monitoring sites.

The Department of Transportation seeks approval to further amend the agreement in order to exercise its second renewal option for the period from April 15, 2010 through April 14, 2011 for an amount not to exceed \$155,665.

This work will benefit the public health by continuing to provide noise data to the airport from aircraft flying over local communities and assist the airport environmental office in its noise abatement efforts. The overall goal and objective of this work will be to obtain data on aircraft noise that will assist the airport in its efforts to monitor overall sound levels for communities and assess the impact of aircraft noise. This work will be overseen by the airport environmental office.

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

We recommend approval of the attached proposed Resolution.

LCS/MCB/DLV/dv
Attachment

RESOLUTION

Upon a communication from the Commissioner of Transportation, and the Chief Information Officer, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to amend an agreement with Lochard Corporation, 39 Pleasant Street, Stoneham MA 02180 for support of the Aircraft Noise and Operations Monitoring System in order to exercise its second renewal option for the period from April 15, 2010 through April 14, 2011 for an amount not to exceed \$155,665; and be it further

RESOLVED, that all other terms and conditions of this agreement will remain unchanged; and be it further

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 duly authorized designee is authorized to execute any instruments and to take any actions reasonably necessary to implement this Resolution.

Original Resolution	\$417,490
First Amendment	\$221,131
Second Amendment	\$155,665
Total	\$794,286

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	161	44	4110	4380-06		\$110,884 Year 2010
	161	44	4110	4380-06		\$44,781 Year 2011

Budget Funding Year(s) Start Date 04/15/2010 End Date 04/14/2011
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$155,665 Federal Aid _____
 (must match resolution)
 Other Airport Special Revenue Fund