



Robert P. Astorino
County Executive

Public Utility Service Agency

Thomas Geiger, Chair

15085

November 4, 2010

To: Honorable Members of the Board of Acquisition and Contract

From: Thomas M. Geiger, Chair
County of Westchester Public Utility Service Agency

RE: Authority to amend an agreement with Stewart M. Glass to provide consulting services to the County of Westchester Public Utility Service Agency and the County of Westchester in order to change the expiration date of the contract from October 31, 2010 to November 30, 2010 and increase the total not to exceed amount by an additional \$10,000.00, from \$20,000.00 to \$30,000.00

On September 27, 2010, the County of Westchester (the "County") entered into a "short-form" contract with Stewart M. Glass (the "Consultant"), pursuant to which the Consultant was to provide consulting services to the County of Westchester Public Utility Service Agency ("COWPUSA") and the County, in regard to, but not limited to, the following matters: energy charges incurred or to be incurred by the County; Rate Redesign by the Power Authority of the State of New York; procurement of refunds of overcharges in electric bills and other energy charges; administration of the Municipal Distribution Agency program; administrative proceedings; and consultation and representation of COWPUSA or the County in other matters as may be requested by the Chair of COWPUSA or the members of COWPUSA's board, for the term from August 16, 2010 through October 31, 2010, for an amount not to exceed Twenty Thousand (\$20,000.00) Dollars (the "Agreement").

The County now wishes to amend the Agreement with the Consultant in order to extend the term of the contract to November 30, 2010 and to increase the total not-to-exceed amount authorized thereunder by an additional \$10,000, from an amount not-to-exceed \$20,000 to an amount not-to-exceed \$30,000 (the "Amendment"). As your Honorable Board is aware, an amendment to a "short-form" contract which causes the contract to exceed the \$20,000 monetary threshold authorized by your Honorable Board must first be approved by your Honorable Board.

This amendment is required because of the additional time required to deal with important issues confronting COWPUSA and the County and to assure a smooth transition in the duties previously provided by the Executive Director of COWPUSA.

Except as specifically amended hereby, all remaining terms and conditions set forth in the Agreement shall remain in full force and effect.

This contract will be paid in full from COWPUSA's account and will not involve an expenditure of taxpayer funds. COWPUSA's Commissioners, at a duly constituted meeting, voted to enter into and fund this agreement, including the amendment, subject to the approval of your Honorable Board.

The services provided pursuant to the Amendment will serve a public purpose by avoiding any disruption in service which could compromise the County's and COWPUSA's ability to promote sound energy policy.

The goal and objective of the Amendment is to help COWPUSA continue providing electricity to the County and other municipal entities in Westchester at the lowest possible cost and ensuring the proper administration of the Municipal Distribution Agency program, which provides low cost power to businesses in Westchester, thereby assuring their continued operations in the County.

The goal and objective of the Amendment is in the best interests of the County in terms of financial responsibility as it will enable the County and other municipal entities in Westchester to receive electric service at the lowest possible cost, and ensure the proper administration of the Municipal Distribution Agency program including the processing of contracts and collection of payments.

The goal and objective of the Amendment will be tracked by the Chair of COWPUSA.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

TMG/SMG:mc

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/2/2010 PRIMARY VIEW SECRETARY

RESOLUTION

Upon a communication from the Chair of the County of Westchester Public Utility Service Agency, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an agreement with Stewart M. Glass (the "Consultant"), pursuant to which the Consultant was to provide consulting services to the County of Westchester Public Utility Service Agency ("COWPUSA") and the County, in regard to, but not limited to, the following matters: energy charges incurred or to be incurred by the County; Rate Redesign by the Power Authority of the State of New York; procurement of refunds of overcharges in electric bills and other energy charges; administration of the Municipal Distribution Agency program; administrative proceedings; and consultation and representation of COWPUSA or the County in other matters as may be requested by the Chair of COWPUSA or the members of COWPUSA's board, for a term from August 16, 2010 through October 31, 2010, for an amount not-to-exceed \$20,000 (the "Agreement"), by extending the term of the agreement to November 30, 2010 and increasing the total not-to-exceed amount by an additional \$10,000.00, from an amount not-to-exceed \$20,000.00 to an amount not-to-exceed \$30,000.00 (the "Amended Agreement"); and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions set forth in the Agreement shall remain the same; and be it further

RESOLVED, that the Westchester County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purpose hereof.

Original Agreement	\$20,000 ("short form" contract)
This Amendment	\$10,000
TOTAL	\$30,000

Account to be Charged/Credited

		Major Program, Program & Phase	Object/ Sub Object	Trust Account	Dollars
Fund	Dept	Or Unit			
					\$10,000.00

Budget Funding Year(s) 2010 Start Date 08/16/10 End Date 11/30/10
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$10,000 Federal Aid _____
 (must match resolution) Other COWPUSA funds _____