



Robert P. Astorino
County Executive

Public Utility Service Agency

Vincent Vesce, Chair

Timothy S. Carey, Executive Director

16922

January 18, 2014

To: Honorable Members of the Board of Acquisition and Contract

From: Timothy S. Carey, Executive Director
County of Westchester Public Utility Service Agency

RE: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, an agreement with Stewart M. Glass, pursuant to which Mr. Glass will provide consulting services to the County of Westchester Public Utility Service Agency and the County of Westchester

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures an agreement between the County of Westchester (the "County"), acting by and through the County of Westchester Public Utility Service Agency ("COWPUSA"), and Stewart M. Glass, 845 Swed Circle, Yorktown Heights, New York 10598, pursuant to which Mr. Glass will provide consulting services to 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; advice and assistance in the administration of the Municipal Distribution Agency program and administrative proceedings; and consultation and representation of COWPUSA or the County in other matters as may be requested by the Chair of COWPUSA, the members of COWPUSA's board or its Executive Director.

Mr. Glass recently retired from his position as Executive Director of COWPUSA. In that position, prior to his retirement, Mr. Glass was responsible for handling all material aspects of the above-described matters. Mr. Glass has been an invaluable resource to the County for many

years and has provided tremendous insight and direction in a wide variety of critical programs and proceedings, including, but not limited to, those listed above.

Accordingly, for purposes of continuity and a smooth transition, it is necessary and appropriate for Mr. Glass to provide on-going advice and guidance to the County and COWPUSA. Mr. Glass' experience and institutional knowledge with respect to these matters makes him a unique resource. This agreement will enable the County and COWPUSA to avoid any disruption in service which could compromise the County's and COWPUSA's ability to promote sound energy policy and provide electricity to the County and other municipal entities in Westchester at the lowest possible cost and to ensure 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.

On September 7, 2010, the Board of Legislators approved a Resolution, which granted a waiver of Section 883.21(i)(3) of the Westchester County Code of Ethics to permit Mr. Glass to accept a position as a paid consultant to the County for the above purposes. On January 4, 2011, the Board of COWPUSA voted to retain the services of Mr. Glass.

Based upon the foregoing, it is proposed that the best interests of the County would be served by exempting this agreement from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof. Therefore, a resolution to exempt this procurement is hereby submitted for your consideration.

TSC/SMG/me
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
JONAS VILHEM SECRETARY

RESOLUTION

Upon a communication from the Executive Director of the County of Westchester Public Utility Service Agency, 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 proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of an agreement with Stewart M. Glass, 845 Swed Circle, Yorktown Heights, New York 10598, pursuant to which Mr. Glass will provide consulting services to the County and the County of Westchester Public Utility Service Agency ("COWPUSA") regarding 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, the members of COWPUSA's Board or its Executive Director.

APPROVED BOARD OF ACQUISITION & CONTRACT - 2-10-2011 - JUMP TO SECRETARY