

24173

TO: BOARD OF ACQUISITION AND CONTRACT

FROM: JAY T. PISCO, P.E.
COMMISSIONER OF PUBLIC WORKS AND TRANSPORTATION

MARGUERITE C. BEIRNE
CHIEF INFORMATION OFFICER

DATE: JANUARY 23, 2012

SUBJECT: AUTHORITY TO EXECUTE A SECOND AMENDMENT TO AN AGREEMENT WITH BRUEL & KJAER EMS, INC., FOR THE UPGRADE OF THE AIRPORT NOISE & OPERATIONS MONITORING SYSTEM AT WESTCHESTER COUNTY AIRPORT, IN ORDER TO FURTHER EXTEND THE TERM AT NO ADDITIONAL COST TO THE COUNTY (Agreement No. WCA09033)

On August 27, 2009, your Honorable Board approved a Resolution authorizing the County to enter into an agreement with Lochard Corporation ("Lochard") for the upgrade of the Airport Noise and Operations Monitoring System ("ANOMS") at Westchester County Airport for a term from June 1, 2009 through May 31, 2010 for an aggregate amount not to exceed \$180,000.00 payable pursuant to an approved budget. On February 4, 2010, your Honorable Board approved a Resolution amending the previous Resolution to change the expiration date of the agreement to December 31, 2010. The agreement was subsequently executed.

On January 20, 2011, your Honorable Board approved a Resolution authorizing the County to amend the Lochard agreement to extend the term through August 31, 2011 at no additional cost to the County. Subsequently, Lochard was acquired by Bruel & Kjaer EMS, Inc. ("Bruel & Kjaer"). Bruel & Kjaer has continued providing services under this agreement.

Due to circumstances beyond Bruel & Kjaer's control, it is necessary to extend the term of this agreement. There has been difficulty getting the Federal Aviation Administration to agree on the installation of a radar data feed connection which will serve Westchester County Airport. That project is now projected to be completed on or about May 31, 2012. Also, additional time is needed to conduct the required reliability testing before acceptance of the upgraded ANOMS. Therefore, authority is requested to extend the term of the agreement through August 31, 2012, at no additional cost to the County. All remaining terms and conditions of the agreement will remain unchanged.

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 efforts of noise abatement. 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, and invoices will only be paid upon confirmation of a fully functioning noise monitoring system.

We recommend approval of the attached proposed Resolution.

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to execute a second amendment to an agreement with Bruel & Kjaer EMS, Inc., for the upgrade of the Airport Noise and Operations Monitoring System at Westchester County Airport, in order to extend the term of the agreement through August 31, 2012, at no additional cost to the County; and be it further

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

RESOLVED, that payments under the agreement shall be subject to budget appropriations; 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 Agreement	\$180,000.00	(ANOMS Upgrade)
First Amendment	\$ 0.00	(Term Extension Only)
This Amendment	<u>\$ 0.00</u>	(Term Extension Only)
Total	\$180,000.00	

Agreement No. WCA09033

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	361	44	A010400S	6120		N/A

Budget Funding Year(s) 2012 Start Date 06/01/2009 End Date 08/31/2012
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
 Federal Aid _____
 \$ N/A Other _____
 (must match resolution)