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TO: Board of Acquisition and Contract

FROM: Jay T. Pisco, P.E.
Commissioner of Public Works and Transportation

DATE: February 19, 2013

SUBJECT: Resolution to Award to the Sole Bidder
Contract No. 12-226
Service Contract for Andover DDC Systems
At DPW Maintained Facilities
Various Locations
Westchester County, New York
Contractor: Energy Management of Facilities, Inc. d/b/a EMF
Amount: \$160,575.00

On December 5, 2012, one (1) bid was received and opened for Contract No. 12-226 for Service Contract for Andover DDC Systems at DPW Maintained Facilities, Various Locations, Westchester County, New York.

One (1) contractor submitted a bid for this project. The project was advertised on the Hudson Valley Municipal Purchasing Group ("HVM") website, in addition to the Journal News (Southern Edition), and was viewed by fourteen (14) entities on the HVM website. In addition, e-mails were sent to those fourteen (14) entities and to an additional one hundred twenty four (124) suppliers and contractors.

The bid was reviewed by the Department and it was determined that Energy Management of Facilities, Inc. d/b/a EMF submitted the sole bid in the amount of \$160,575.00.

The sole bidder has been investigated and it has been found that Energy Management of Facilities, Inc. d/b/a EMF:

- Performed satisfactory work in the past for the County.
 Past experience has been investigated and found satisfactory.

Funds for this project are available in the:

- Capital Budget
 Non-Recurring Budget
 Operating Budget

The objective of this contract is to ensure that the Direct Digital Control System is operating within specified parameters.

This contract is in the public's best interest because it will promote the health and safety of the general public by maintaining heat and air conditioning within specified parameters.

This project will provide an energy savings by managing building temperatures and fuel consumption, thus addressing the County Executive's priority areas: Health and the Environment (HE) and Fiscal Responsibility (FR).

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.

This contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County.

It is my recommendation that Contract No. 12-226 be awarded to Energy Management of Facilities, Inc. d/b/a EMF in the amount of \$160,575.00, subject to appropriations.

APPROVED BOARD OF ACQUISITION & CONTRACTS - 3/21/2013 - JOMAR VIEIRA, SECRETARY

RESOLUTION

CONTRACT NO. 12-226

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

RESOLVED, that Contract No. 12-226 for Service Contract for Andover DDC Systems at DPW Maintained Facilities, Various Locations, Westchester County, New York be and is hereby awarded to the sole bidder, Energy Management of Facilities, Inc. d/b/a EMF, P.O. Box 176, 5 West Cross Street, Hawthorne, New York 10532, in the amount of \$160,575.00; and be it further

RESOLVED, that as set forth in the Contract No. 12-226 bid specifications this contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County; and be it further

RESOLVED, that this contract 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 authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3200	4380		\$13,648.88 (2013)
	101	46	3300	4380		\$12,846.00 (2013)
	101	46	3400	4380		\$13,648.88 (2013)
	101	46	3200	4380		\$18,198.50 (2014)
	101	46	3300	4380		\$17,128.00 (2014)
	101	46	3400	4380		\$18,198.50 (2014)
	101	46	3200	4380		\$18,198.50 (2015)
	101	46	3300	4380		\$17,128.00 (2015)
	101	46	3400	4380		\$18,198.50 (2015)
	101	46	3200	4380		\$ 4,549.62 (2016)
	101	46	3300	4380		\$ 4,282.00 (2016)
	101	46	3400	4380		\$ 4,549.62 (2016)

Budget Funding Year(s) 2013-2016 **Start Date:** April 1, 2013 **End Date:** March 31, 2016
(must match resolution)

Funding Source: **Tax Dollars** 100% County

Contractor Federal I.D. No./
Social Security No.: _____

State Aid _____

\$160,575.00
(must match resolution)

Federal Aid _____

Vendor No.: _____

Other _____

Encumbrance No.: _____