

41696

To: The Honorable Board of Acquisition and Contract

From: John P. Gaccione
Acting Director of Consumer Protection

Re: **Authority for the County of Westchester enter into an Agreement with the State of New York for Petroleum Product Testing Services for the period commencing April 1, 2014 and ending March 31, 2019 for a total dollar amount not to exceed \$132,060.00**

Date: August 4, 2014

Transmitted herewith is a Resolution requesting authority to enter into an agreement (“Agreement”) with New York State to provide petroleum product testing services for the period commencing April 1, 2014 through March 31, 2019.

Section 179, Subdivision 19, of the New York Agriculture and Markets Law provides that the State has the responsibility for the sampling, inspection and testing of petroleum products to meet specified quality standards. This function is, to some extent, conducted through municipal weights and measures officials (the County Sealer of Weights and Measures).

Authority is therefore requested for the County to enter into an Agreement with the State to provide sampling, inspection and testing services for the described petroleum product quality program for fuel stored at retail fuel outlets. For the services provided by the County, the State will reimburse the County for its costs at the rate of \$26,412 per year for the five (5) year contract term.

Pursuant to Section 3(a)(iii) of the County’s Procurement Policy, contracts with the State of New York or any political subdivision, agency or instrumentality thereof are exempt from the County’s Procurement Policy.

The services to be performed by the County's Department of Consumer Protection are well within its capabilities. The goal and objective of this agreement is to inspect and test fuel samples at retail fuel outlets throughout the County.

The County receives money under this contract to reimburse it for the time expended by its Weights & Measures inspectors in collecting petroleum product samples. Accordingly, approval of the attached resolution is respectfully requested.

/dm

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/04/2014 - JOMARY VIERA, SECRETARY

RESOLUTION

Upon communication from the Acting Director of the Consumer Protection, be it

RESOLVED, that the County of Westchester be, and hereby is, authorized to enter into an agreement with the State of New York (the "State") wherein the County collects, samples, inspects and tests petroleum products on behalf of the State in accordance with Section 179 of the New York Agriculture and Markets Law commencing April 1, 2014 for a total amount of \$132,060.00 payable by the State to the County whereby the State will reimburse the County for its costs at the rate of \$26,412 per year for the five (5) year contract term.

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes of this resolution.

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
101	25	0200	9289		\$132,060

Budget Funding Year(s) 2014-2019 **Start Date:** 4/1/2014 **End Date:** 3/31/2019

(must match resolution)

Funding Source: Tax Dollars _____

State Aid _____

\$132,060 **Federal Aid** _____

(must match resolution)

Other \$132,060 (Revenue) _____