

48024

TO: Board of Acquisition and Contract

FROM: Thomas J. Lauro, P.E.
Commissioner of Environmental Facilities

DATE: August 6, 2015

SUBJECT: Resolution to exempt from the Westchester County Procurement Policy an Agreement between the County of Westchester, to enter into an agreement with Energy Curtailment Specialists, Inc., in order to participate in an energy reduction pilot program, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement an Agreement with Energy Curtailment Specialists, Inc., in order for the County to participate in a pilot program to reduce energy, having a term of one (1) year, commencing on May 1, 2015 and terminating on April 30, 2016, to be paid in accordance with contract rates.

Ordinarily, under Section 6 of the Procurement Policy, the County is required to issue a Request For Proposals for such services. It is proposed that compliance with the Procurement Policy would not be in the best interests of the County with respect to this procurement because the proposed agreement will benefit the County since the County will receive revenue for participating in the program and will also protect the electrical grid and reduce energy consumption during peak hours. The Department had approval to enter into this program for the previous 12 month period but due to necessary equipment that needed to be installed before beginning the pilot program the Department missed the deadline to participate in the summer program and thus did not have enough time to evaluate the benefit of participating in the program and then start and finish the RFP process for the current year. In order to meet the deadline to enter into an agreement for the Summer of 2015, such agreement must be entered into immediately. This cannot be done without this exemption and not allowing such exemption would preclude the Department from receiving revenue payments for the summer of 2015. The Department's aim is to enter into an agreement for this one location as a pilot program for the full time period. If this pilot is successful the

Department would look to issue an RFP for this and other locations beginning with the summer of 2016. If successful, other County Departments may also be able to capitalize on a similar program in future years. This would further reduce the energy consumption in the County of Westchester during peak hours and provide an additional funding stream as well.

Pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that Energy Curtailment Specialists, Inc. is uniquely qualified for this pilot program to reduce energy and that the best interests of the County would be served by exempting this agreement from the procedures of the County's Procurement Policy. A resolution to exempt this agreement from procurement is hereby submitted for your consideration.

TJL/jpi

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/18/15 3:04 PM SOCIAN SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Environmental Facilities, 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 in connection with the procurement of an agreement with Energy Curtailment Specialists, Inc., in order to participate in a pilot program to reduce energy.

Account to be Charged/Credited:

		Major Program, Program & Phase	Object/ Sub Object	Trust Account	Dollars
Fund	Dept.	Or Unit			
		N/A			

Budget Funding Year(s): _____ Start Date: _____ End Date: _____

Funding Source

\$ _____
(must match resolution)

Tax Dollars _____
State Aid _____
Federal Aid _____
Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/10/2015 - JOANGOCCHIARDI, SECRETARY