



Robert P. Astorino
County Executive

49022

Date: October 15, 2015

To: Board of Acquisition and Contract

From: Kevin J. Plunkett
Deputy County Executive

Re: Authority to amend an agreement with Timothy S. Carey, pursuant to which Mr. Carey was to provide consulting services to the County, for the period January 1, 2015 through December 31, 2015, for an amount not-to-exceed \$50,000.00, by, 1.) increasing the not-to-exceed amount of the agreement by \$20,000.00, in order to pay for additional services to be provided by Mr. Carey, and 2.) modifying its terms in order to reflect the fact that the County of Westchester Public Utility Service Agency has been eliminated.

By a resolution approved on February 12, 2015, your Honorable Board authorized the County of Westchester (the "County"), acting by and through the County of Westchester Public Utility Service Agency ("COWPUSA"), to enter into an agreement with Timothy S. Carey, pursuant to which Mr. Carey was to provide consulting services to the County and COWPUSA, including, among other things, serving as legislative liaison at the County, State, and Federal levels; serving as Executive Director of COWPUSA; and preparing and presenting statements and position papers before Federal, State, and other agencies, authorities, and commissions, for the period from January 1, 2015 through December 31, 2015, for an amount not-to-exceed \$50,000.00, payable at a rate of two hundred dollars (\$200.00) per working hour (the "Agreement"). The Agreement was subsequently executed.

The County has determined that it will require additional services from Mr. Carey under the Agreement, such that it is necessary to increase the not-to-exceed amount of the Agreement in order to be able to pay Mr. Carey for those additional services.

Accordingly, the County respectfully requests that your Honorable Board authorize the County to amend the Agreement by increasing its not-to-exceed amount by \$20,000.00, from an amount not-to-exceed \$50,000.00 to a new amount not-to-exceed \$70,000.00, in order to pay for additional services. The additional services rendered under the Agreement by Mr. Carey will continue to be payable at a rate of two hundred dollars (\$200.00) per working hour.

Local Law 7-2015 was adopted by the County's Board of Legislators on April 27, 2015 and subsequently approved by the County Executive. Local Law 7-2015 eliminated COWPUSA by repealing Chapter 875 of the Laws of Westchester County.

Accordingly, the County further respectfully requests that your Honorable Board authorize the County to amend the Agreement by modifying its terms in order to reflect the fact that COWPUSA has been eliminated, including, 1.) specifying that Mr. Carey ceased acting as Executive Director of COWPUSA upon COWPUSA's elimination, and 2.) substituting the County Executive in place of the Chair of COWPUSA.

Except as specifically amended hereby, all terms and conditions of the Agreement will remain the same and in full force and effect.

The proposed amendment will serve a public purpose by ensuring that the County continues to have the consulting services necessary to ensure the promotion of sound energy policy and ensure the proper administration of the Business Incentive Rate program, which provides low cost power to businesses in Westchester, thereby assuring their continued operations in the County.

The goal and objective of the proposed amendment is to ensure that the County continues to have the consulting services necessary to ensure the promotion of sound energy policy and ensure the proper administration of the Business Incentive Rate program, which provides low cost power to businesses in Westchester, thereby assuring their continued operations in the County.

The goal and objective of the proposed amendment is in the best interest of the County in terms of fiscal responsibility as it will ensure that the County continues to have the consulting services necessary to ensure the promotion of sound energy policy and ensure the proper administration of the Business Incentive Rate program, all of which is intended to ultimately be financially beneficial to the County.

The goal and objective of the proposed amendment will be tracked by the staff of the Office of the County Executive.

I respectfully recommend adoption of the proposed resolution.

KJP/bdm/nn

RESOLUTION

Upon a communication from the Deputy County Executive, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an agreement with Timothy S. Carey, pursuant to which Mr. Carey was to provide consulting services to the County and COWPUSA, including, among other things, serving as legislative liaison at the County, State, and Federal levels; serving as Executive Director of COWPUSA; and preparing and presenting statements and position papers before Federal, State, and other agencies, authorities, and commissions, for the period January 1, 2015 through December 31, 2015, for an amount not-to-exceed \$50,000.00, payable at a rate of two hundred dollars (\$200.00) per working hour, (the "Agreement") by, 1.) increasing its not-to-exceed amount by \$20,000.00, from an amount not-to-exceed \$50,000.00 to a new amount not-to-exceed \$70,000.00, in order to pay for additional services, and 2.) modifying its terms in order to reflect the fact that COWPUSA has been eliminated, including, a.) specifying that Mr. Carey ceased acting as Executive Director of COWPUSA upon COWPUSA's elimination, and b.) substituting the County Executive in place of the Chair of COWPUSA; and be it further

RESOLVED, that except as specifically amended hereby, all terms and conditions of the Agreement shall remain the same and in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purpose hereof.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
101	52	2110	5100		\$20,000.00

Budget Funding Year(s): 2015
(must match resolution)

Start Date: 01/01/15

End Date: 12/31/15

Funding Source

\$20,000.00
(must match resolution)

Tax Dollars: 100%
State Aid: _____
Federal Aid: _____
Other: _____