

Robert P. Astorino  
County Executive

Department of Environmental Facilities

Thomas J. Lauro, P.E.  
Commissioner

**50999**

**DATE:** February 10, 2016

**TO:** Board of Acquisition and Contract

**FROM:** Thomas J. Lauro, P.E.  
Commissioner

**RE: Resolution authorizing the County of Westchester to exercise the first of two options to extend its agreement with Renaissance Instruments (the "Contract") for an additional one-year term commencing April 01, 2016 and terminating on March 31, 2017 in an amount not to exceed \$68,732.00.**

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Authority is hereby requested for the County of Westchester to exercise the first of two options to renew its agreement with Renaissance Instruments, ("RI") pursuant to which RI provides the County with maintenance and calibration of leachate flow meters located at the Sprout Brook Ash Disposal Facility, Cortlandt, New York.

A resolution was approved on April 18, 2013 authorizing the County to enter into a contract with RI as sole bidder, to provide maintenance and calibration of leachate flow meters located at the Sprout Brook Ash Disposal Facility, Cortlandt, New York. The resolution authorized a contract term of April 1, 2013 through March 31, 2016 for an amount not to exceed \$196,377.00, payable at the rate of \$65,459.00 annually, and further authorized two, one-year extensions at the County's option at \$68,732.00 and \$70,795.00, respectively.

During the term of the original contract, RI has provided satisfactory service to the County. Accordingly, Authority to exercise the first two-year renewal option, to a new termination date of March 31, 2017 is hereby requested for an additional one-year period in the amount of \$68,732.00, with all pricing, terms and conditions remaining the same as provided in the original contract document.

The Department of Environmental Facilities is of the opinion that RI was the only bidder for maintenance and calibration of the DataGator Flow metering System installed at the Sprout Brook facility because it is the exclusive manufacturer and seller of this system; it holds patent rights to the flow tube design used in the system; it is the sole owner of the copyrights to the system; and it has not authorized any third party to manufacture, market or service the system.

The maintenance and calibration of these flow meters will assure the public that the County of Westchester is in compliance with NYSDEC regulations and that Westchester County is operating an environmentally sound and safe landfill.

The objective of this contract is to monitor the leachate flow to ensure that there is no groundwater contamination. The Department will review all report prepared by RI before sending to NYSDEC.

As I believe this agreement to be in the best interests of the County, I most respectfully urge your Honorable board to approve the attached resolution.

Approval of the attached resolution is respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/17/2016 - LISA MRIJAN SECRETARY

# RESOLUTION

Contact No. EF-1301

Upon a communication from the Commissioner of Environmental Facilities, be it hereby:

**RESOLVED**, that the County of Westchester is hereby authorized to exercise its option to extend an agreement with Renaissance Instruments., ("RI") pursuant to which RI provides the County with maintenance and calibration of leachate flow meters located at the Sprout Brook Ash Disposal Facility, Cortlandt, New York, extending the agreement for an additional one year, to a new termination date of March 31, 2017, in an amount not to exceed \$68,732.00; and be it further

**RESOLVED**, All other terms of the Renaissance Instruments Contract shall remain the same; and be it further

**RESOLVED**, that this contract extension is subject to annual 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 budget of the State of New York and/or the adoption of the State Budget or any amendments thereto, and after the County has a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of 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 such 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 duly authorized designee is hereby authorized to execute any and all instruments and take all actions necessary to accomplish the purpose hereof.

Account to be Charged/Credited			Major Program, Program & Phase	Object/	Trust	
	Fund	Dept	Or Unit	Sub Object	Account	Dollars
2016	221	251	60	7100	4380	\$51,549.
2017	221	251	60	7100	4380	\$17,183.

Budget Funding Year(s) 2016-2017 Start Date 04/01/2016 End Date 3/31/2017  
 (must match resolution)

Funding Source Tax Dollars 100% County  
 State Aid \_\_\_\_\_

**\$68,732.**  
 (must match resolution) Federal Aid \_\_\_\_\_  
 Other \_\_\_\_\_

Original Contract Amount: \$196,377  
 Amendment: \$68,732  
 Total: \$265,109.

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/17/2016 - LISA MRIJAJ, SECRETARY