

59112

Date: September 25, 2017

To: The Honorable Board of Acquisition and Contract

From: Thomas J. Lauro
Commissioner of Environmental Facilities

Re: Authority to amend a “short form” agreement with H2M Architects + Engineers for the provision of Storm Water Monitoring services for the period from August 1, 2017 through July 31, 2018 in an amount not-to-exceed \$12,650, by extending the term of the contract through September 30, 2018.

The County, acting by and through its Department of Environmental Conservation (“DEF”), entered into a “short-form” contract with H2M Architects + Engineers (“H2M”) to perform storm water monitoring services for the Westchester County Department of Environmental Facility’s (“DEF”) three (3) transfer stations, for the period from August 1, 2017 through July 31, 2018 in an amount not-to-exceed \$12,650 (the “Agreement”). The Agreement was subsequently executed.

The Agreement was not finalized in time for H2M to perform the first sampling. Instead, County DEF performed the sampling internally to meet NYSDEC timelines. In order for H2M to complete a full year of sampling to satisfy the contract terms, it has become necessary to extend the end date of the contract from July 31, 2018 to September 30, 2018.

As your Honorable Board is aware, amendments to short-form contracts which result in term extensions beyond the one (1) year limitation for short-form contracts, must first be approved by your Honorable Board. Since the proposed amendment to the Agreement will extend the term beyond one (1) year, the authority of your Honorable Board is now required.

Accordingly, authority is respectfully requested to amend the Agreement with H2M for the provision of storm water monitoring services for DEF’s three (3) transfer stations, for the period from August 1, 2017 through July 31, 2018 in an amount not-to-exceed \$12,650, by extending the term thereof for an additional two (2) months, from August 1, 2018 through September 30, 2018.

Except as specifically amended hereby, all other terms and conditions of the Agreement shall remain in full force and effect upon the parties.

It should be noted that DEF has complied with the Westchester County Procurement Policy. On June 19, 2017, DEF issued an RFP seeking qualified firms to perform storm water monitoring services for the County's three (3) transfer stations. Two (2) firms submitted proposals in response to the RFP. After a careful review of each proposal with reference to the evaluation criteria set forth in the RFP, the Agreement was awarded to H2M because they were the lowest bidder.

The Agreement will serve a public purpose by ensuring that storm water is not contaminated by solid waste emanating from the transfer stations which could pose environmental and public health hazards.

The goals and objectives of this Agreement are to conduct periodic sampling of storm water at the County's transfer stations to determine if solid waste and/or gases have migrated beyond the perimeter of the transfer stations so that DEF can employ appropriate mitigation measures to contain the waste.

The Agreement will be tracked and monitored by DEF staff.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

TJL/LV/jpg

APPROVED BOARD OF ACQUISITION & CONTRACTS 10/26/2017 LISA M. P. J. SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to amend a “short form” agreement with H2M Architects + Engineers (“H2M”) for storm water monitoring services for the Westchester County Department of Environmental Facility’s three (3) transfer stations, for the period from August 1, 2017 through July 31, 2018 in an amount not-to-exceed \$12,650 (the “Agreement”), by extending the term of the Agreement for an additional two (2) months, from August 1, 2018 through September 30, 2018, in order to give H2M additional time to complete all services required under the Agreement; and be it further

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

RESOLVED, that the County Executive or his duly appointed designee be, and hereby is, authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be
Charged/Credited

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

Budget Funding Year(s) 2017-2018 Start Date 08/01/2018 End Date 09/30/2018
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$ _____ Federal Aid _____

(must match resolution)

Other _____