

66236

DATE: November 27, 2018

TO: Board of Acquisition and Contract

FROM: Kenneth W. Jenkins
Deputy County Executive

RE: **Authority to amend an agreement with Ralph Butler, P.E. for consulting services related to the County's capital program for a term commencing on February 19, 2018 and continuing through December 31, 2018 in an amount not-to-exceed \$30,000.00, payable at an hourly rate of \$80.00, by increasing the not-to-exceed amount thereunder by an additional \$20,000.00.**

By resolution approved on February 15, 2018, your Honorable Board authorized the County to enter into an agreement with Ralph Butler, P.E. for consulting services related to the County's capital program for a term commencing on February 19, 2018 and continuing through December 31, 2018 in an amount not-to-exceed Thirty Thousand (\$30,000.00) Dollars, payable at an hourly rate of Eighty (\$80.00) Dollars (the "Agreement"). The Agreement was subsequently executed

Over the past few months, Mr. Butler, who previously served as the County's Commissioner of Public Works and Transportation, has provided invaluable assistance to the County in connection with the County's capital program such that the contract funds are nearly depleted. In order to continue using his services, it will be necessary to amend the Agreement in order to increase the not-to-exceed amount by an additional \$20,000.00 to an amount not to exceed \$50,000.00.

Accordingly, authority is requested to amend the Agreement with Ralph Butler, P.E. for consulting services related to the County's capital program, by increasing the not-to-exceed cap thereunder by an additional \$20,000.00, from an amount not-to-exceed \$30,000.00 to an amount not-to-exceed \$50,000.00. All other terms and conditions of the Agreement will remain unchanged.

Authority to exempt this Amendment from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof, has been granted by your Honorable Board in accordance with a separate resolution of even date herewith.

This Agreement will serve a public purpose by using the skills and institutional knowledge of Mr. Butler, the County's former Commissioner of Public Works, to provide guidance with regard to the County's capital program.

Authority for the County to enter into this Agreement for the purposes as herein described is most respectfully requested.

RESOLUTION

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

RESOLVED, that the County of Westchester ("County") is authorized to amend an agreement with Ralph Butler, P.E. for consulting services related to the County's capital program for a term commencing on February 19, 2018 and continuing through December 31, 2018 in an amount not-to-exceed \$30,000.00, payable at an hourly rate of Eighty (\$80.00) Dollars, by increasing the not-to-exceed amount thereunder by an additional \$20,000.00, from an amount not-to-exceed \$30,000.00, to a new total amount not-to-exceed \$50,000.00; and be it further

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

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute said agreement and all documents necessary to effectuate the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	46	3200	4380		\$20,000.00

Budget Funding Year 2018 Start Date February 19, 2018 End Date December 31, 2018
 (must match resolution)

Funding Source Tax Dollars \$20,000.00
 State Aid _____
\$20,000.00 Federal Aid _____
 (must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS, 10/12/2018 - LISA MRIJAJ, SECRETARY