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TO: Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., PE  
Commissioner of Public Works and Transportation

DATE: June 25, 2019

SUBJECT: **Resolution to exempt from the Westchester County Procurement Policy the procurement of an agreement with WSP USA Inc. for groundwater and surface water testing at the Westchester County Airport pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures. (Agreement No. 19-913)**

Authority is hereby requested from your Honorable Board to exempt the procurement of an agreement with WSP USA Inc. ("WSP") to perform groundwater and surface water testing at the Westchester County Airport (the "Airport"), as required from the application of the Westchester County Procurement Policy and Procedures pursuant to Section 3a(xxii) thereof.

The agreement with WSP will be for a term from June 1, 2019 to May 31, 2024, for an amount not to exceed \$625,000.00 payable pursuant to an approved budget and subject to budget appropriations. At the County's option, the agreement may be renewed for an additional five years.

For several years the Airport had a program to sample and test groundwater for pollutants until that program was terminated in 2011. Such testing resumed in 2018, and Executive Order No. 3- 2019 mandates that groundwater and surface water at the Airport be tested biannually for the presence of pollutants, including but not limited to per- and polyflouralkyl substances ("PFAS"). PFAS are a class of contaminants that pose an emerging threat to drinking water in many areas of the country. WSP has been instrumental in providing such testing for the County. WSP's experience and familiarity with the Airport makes it highly qualified to continue this important work.

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. Based upon the foregoing, it is proposed 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.

HJG/dlv

# RESOLUTION

## Agreement No. 19-913

Upon a communication from Commissioner of Public Works and Transportation, 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 price quotations, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester in connection with the procurement of an agreement with WSP USA Inc. ("WSP") to perform groundwater and surface water testing at the Westchester County Airport.

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/03/2019 - USA INC., SECRETARY