

71045

DATE: August 6, 2019

TO: Honorable Members of the Board of Acquisition and Contract

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

SUBJECT: Authority for the County of Westchester to enter into a First Amendment to the agreement with Ameresco, Inc. (the "Contractor"), dated March 13, 2019, pursuant to which the Contractor agreed to provide emergency operators at the Westchester County Central Heating Plant in Valhalla, New York in order to extend the term of the Agreement from August 28, 2019 to November 30, 2019 and increase the not to exceed amount for the Agreement by \$250,000.00 from \$700,000.00 to \$950,000.00. (Contract No. 19-206)

On February 28, 2019, your Honorable Board approved a resolution authorizing the County of Westchester (the "County"), acting by and through its Department of Public Works and Transportation (the "Department"), to enter into an agreement with Ameresco, Inc. (the "Contractor") pursuant to which the Contractor would provide operators for the Westchester County Central Heating Plant in Valhalla, New York (the "CHP") for a term of six (6) months based upon a rate of \$150.00/person hour, which included all overhead and expenses, for an amount not to exceed \$700,000.00 (the "February 28, 2019 Resolution").

Pursuant to the February 28, 2019 Resolution, the County entered into an agreement with the Contractor, dated March 13, 2019, for said services for a period of six (6) months beginning on February 28, 2019 and terminating on August 28, 2019 for a not to exceed amount of \$700,000.00.

The County now seeks authorization to extend the term of the Agreement from August 28, 2019 to November 30, 2019 and increase the not to exceed amount by \$250,000.00 from \$700,000.00 to \$950,000.00.

The February 28, 2019 Resolution was based upon an emergency declaration by the County that it did not have sufficient personnel to operate the CHP. The CHP is a complex, high pressure steam plant providing heat, hot water and air conditioning to critical public buildings located at the Grasslands campus, including the Woodfield Cottage juvenile detention facility, the Westchester Medical Center, the Public Health Laboratories, the Westchester County Corrections Facility, and the Department of Social Services Grasslands Homeless Shelter. The shortage of personnel at this critical facility has not changed.

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In addition, while the Contractor has been providing operators at the CHP pursuant to the terms of the Agreement, the County needs a more long-term solution to the problem of the personnel shortage to operate the CHP. Toward that end, the County is preparing a Request for Proposals (“RFP”) to solicit proposals from qualified firms and companies to take over full operation of the CHP for a longer term. While the County complies with the County procurement policy, it needs qualified personnel to continue to operate the CHP. Therefore, authorization is respectfully requested to extend the term of the Agreement with the Contractor from August 28, 2019 to November 30, 2019 while the County complies with the procurement policy for a long term contract to solve the personnel shortage problem at the CHP and increase the not to exceed amount by \$250,000.00 from \$700,000.00 to \$950,000.00 to pay for such services.

Accordingly, I most respectfully recommend the adoption of the annexed proposed Resolution.

HJG/ran
Encl.

RESOLUTION

Contract No. 19-206

Upon a communication from the Commissioner of the Department of Public Works and Transportation, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Public Works and Transportation (the "Department"), is hereby authorized to enter into a First Amendment to the agreement with Ameresco, Inc. (the "Contractor"), dated March 13, 2019, pursuant to which the Contractor agreed to provide operators for the Westchester County Central Heating Plant in Valhalla, New York (the "CHP") for a term of six (6) months based upon a rate of \$150.00/person hour, which includes all overhead and expenses, for an amount not to exceed \$700,000.00 (the "Agreement") in order to extend the term from August 28, 2019 to November 30 2019 and increase the not to exceed amount by \$250,000.00 from \$700,000.00 to \$950,000.00; and be it further

RESOLVED, that except as modified herein, all other terms and conditions of the Agreement shall remain unchanged 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 and deliver any documents and take all actions necessary or appropriate to effectuate the purposes hereof

Original Agreement:	\$700,000.00
This Amendment:	<u>\$250,000.00</u>
TOTAL:	\$950,000.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3400	4380		\$250,000.00

Budget Funding Year(s): 2019 **Start Date:** February 28, 2019 **End Date:** November 30, 2019
(must match resolution)

Funding Source: **Tax Dollars** 100% County

State Aid _____

\$250,000.00 **Federal Aid** _____

(must match resolution)

Other _____