

71250

TO: Board of Acquisition and Contract

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

DATE: August 21, 2019

SUBJECT: Authorization to enter into an agreement with the Power Authority of the State of New York, also known as the New York Power Authority for the study, design and construction of Various Energy Efficiency Projects from August 1, 2019 through December 31, 2030, in an amount not to exceed \$25,256,000. (Agreement No. 19-921)

The County of Westchester ("County") purchases electricity for its own use from the Power Authority of the State of New York, also known as the New York Power Authority ("NYPA"). The agreement under which the County purchases such electricity provides, among other things, that NYPA and the County will work in partnership to identify energy efficiency projects and clean energy technology projects at County facilities and will undertake such projects as are deemed economically feasible and agreeable to the parties.

On July 18, 2019 your Honorable Board authorized the County to enter into an Energy Services Program Master Cost Recovery Agreement (the "Master Agreement") with NYPA, the terms of which govern any and all other agreements, known as Customer Installation Commitments or Customer Project Commitments ("CIC/CPCs"), with NYPA for the study, design and construction of Energy Efficiency and Clean Energy Projects at various County facilities, for the period of May 1, 2019 through April 30, 2024 with the County having the sole option to renew the Agreement for an additional five years. Pursuant to the July 18, 2019 Resolution, NYPA shall not commence any phase of any project without the prior written approval of the Commissioner of Public Works and Transportation under a separate CIC/CPC, subject to further authorization of your Honorable Board.

The County has identified several projects ("Project(s)"), listed below, as energy efficiency projects.

- BMS Upgrades (B0071)
- 112 East Post Road Boiler Replacement (B0098)
- 85 Court Street Improvements (B0108)
- Asset Management Plan (B0110)
- White Plains Complex LED Lighting Upgrade
- Public Labs Building Cooling Tower Replacement (B0112)
- DOC G-Block Window Replacement (BCR55)
- DOC HQ Rooftop Air Handling Unit Replacement (BCR57)
- County Center Lighting (RCC15)
- Airport Boiler Replacement Program (A0113)
- Airport Terminal HVAC Upgrades (A0134)

Accordingly, authority of your Honorable Board is respectfully requested for the County to enter into one CIC/CPC in order to retain the services of NYPA for the study, design and construction of all the above listed projects. The term of the CIC/CPC will commence on August 1, 2019 and terminate on December 31, 2030 and the total amount of the CIC/CPC shall not exceed \$25,256,000. Pursuant to the terms of the Master Agreement, the CIC/CPC will state the specific terms and conditions applicable to each Project, segregating each Project into logical phases to be performed consecutively. The CIC/CPC will include, at a minimum, the phasing plan setting forth how each Project will proceed, the location of the County's facility, scope of work, (including description of milestones, if any), projected total reimbursement costs, and payment terms.

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The proposed projects will reduce the County's utility costs, improve energy efficiency, and help reduce the County-wide carbon footprint. They will be monitored by the submission and review of the feasibility audit/report, design and eventually the Customer Installation Commitment.

This agreement is exempt from the procedures of the Procurement Policy under Section 3(a)(iii) of said policy.

Your approval of the attached resolution is respectfully requested.

HJG/PLM/jrc

RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation and the Director of Energy Conservation and Sustainability, be it hereby

RESOLVED, that the County of Westchester (“County”) is authorized to enter into an agreement with the Power Authority of the State of New York, also known as the New York Power Authority, (“NYPA”) for the study, design and construction of the Energy Efficiency Projects listed below, from August 1, 2019 through December 31, 2030, in an amount not to exceed \$25,256,000

- BMS Upgrades (B0071)
- 112 East Post Road Boiler Replacement (B0098)
- 85 Court Street Improvements (B0108)
- Asset Management Plan (B0110)
- White Plains Complex LED Lighting Upgrade
- Public Labs Building Cooling Tower Replacement (B0112)
- DOC G-Block Window Replacement (BCR55)
- DOC HQ Rooftop Air Handling Unit Replacement (BCR57)
- County Center Lighting (RCC15)
- Airport Boiler Replacement Program (A0113)
- Airport Terminal HVAC Upgrades (A0134)

RESOLVED, that NYPA shall not commence any phase of the work (study, design and construction) for any project without the prior written approval of the Commissioner of Public Works and Transportation; and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

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Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Bond Act #	Dollars
346	46	B0071		BA #125-2009	\$ 2,981,000
346	46	B0098		TBD	\$ 1,375,000
346	46	B0108		TBD	\$ 3,650,000
346	46	B0110		TBD	\$ 650,000
101	46	3200	3200	N/A	\$ 1,800,000
346	46	B0112		TBD	\$ 1,200,000
335	35	BCR55		TBD	\$ 4,000,000
335	35	BCR57		TBD	\$ 1,900,000
372	42	RCC15		TBD	\$ 2,470,000
361	44	A0113		TBD	\$ 2,080,000
361	44	A0134		TBD	\$ 3,150,000
Total:					\$ 25,256,000

Budget Funding Year(s): 2019-2030 Start Date: 8/1/19 End Date: 12/31/30
(must match resolution)

Funding Source: Tax Dollars: \$20,026,000 (County) Contractor Federal I.D. No./
State Aid: _____ Social Security No.: _____
\$25,256,000 Federal Aid: _____ Vendor No.: _____
(must match resolution) Other: \$5,230,000 (Airport Special Revenue Fund) Encumbrance No.: _____