

74218

DATE: January 24, 2020

TO: Board of Acquisition and Contract

FROM: Kenneth W. Jenkins
Deputy County Executive

RE: **Authority 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 January 1, 2020 and continuing through December 31, 2020 in an amount not-to-exceed \$70,000.00, payable at an hourly rate of \$85.00.**

Authority is requested for the County of Westchester (the "County") to enter into an agreement with Ralph Butler, P.E. to enable Mr. Butler to continue to provide the County with consulting services related to the County's capital program for a term commencing on January 1, 2020 and continuing through December 31, 2020 in an amount not-to-exceed Seventy Thousand (\$70,000.00) Dollars, payable at an hourly rate of Eighty-Five (\$85.00) Dollars.

Pursuant to the terms of the agreement, Mr. Butler will perform various services related to the County's capital program, including but not limited to: review of 1920s, priority rankings, Planning Board report and status report of the existing program; review all related documents to support the capital program, such as the departments' operating budgets, Facility Asset Management reports and budget estimates; prepare written reports, as required; provide Project Performance Measures report with each requisition submission.

As you are aware, Mr. Butler previously served as the County's Commissioner of Public Works and has been an invaluable resource to the County for many years, providing tremendous insight on a variety of critical programs, including those listed above. Mr. Butler's experience and institutional knowledge with respect to these matters makes him a unique resource. Over the past couple of years Mr. Butler has provided invaluable assistance to the County in connection with the County's capital program. This contract will enable Mr. Butler to continue to provide consulting services to the County, which enables the County to promote sound fiscal practice and will ensure that the County has the necessary expertise to effectively carry out its oversight function in connection with the completion of these and other matters.

Authority to exempt this Agreement 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.

KWJ/FA/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/13/2020 - JOAN COCCARDI, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”) is authorized 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 January 1, 2020 and continuing through December 31, 2020 in an amount not-to-exceed Seventy Thousand (\$70,000.00) Dollars, payable at an hourly rate of Eighty-Five (\$85.00) Dollars; and be it further

RESOLVED, that this Agreement shall be subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; 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	2000	4380		\$70,000.00

Budget Funding Year 2020 Start Date January 1, 2020 End Date December 31, 2020
 (must match resolution)

Funding Source Tax Dollars \$70,000.00
 State Aid _____
 Federal Aid _____
 (must match resolution) Other _____

APPROVED BOARD OF COUNTY OFFICIALS - PROJECT - 02/19/2020 - DOMINGUEZ, SECRETARY