

86671

August 3, 2021

TO: Board of Acquisition and Contract

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

SUBJECT: Authorization to amend Agreement No. WCA 15005 with Residuals Management Services LLC d/b/a Earthcare, as previously amended, to change the name of the company to Wind River Environmental, LLC dba Earthcare

Pursuant to a Resolution approved on October 8, 2015 (the October 8th Resolution”), your Honorable Board awarded Contract No. WCA 15005 to Royal Environmental Services Corp. (“Royal Environmental”), as the primary contractor, and Residuals Management Services LLC d/b/a Earthcare (“Earthcare”), as the secondary contractor (the “Secondary Contractor”). The October 8th Resolution authorized the County of Westchester (the “County”) to enter into Contract No. WCA 15005 with Royal Environmental and the Secondary Contractor, pursuant to which Royal Environmental and the Secondary Contractor was to provide Glycol Removal and Transport, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York, for the amount of \$450,000.00 for the period of September 15, 2015 through September 14, 2018, (“Contract No. WCA 15005” or the “Agreement”), with the County having the sole option to extend the Agreement for one (1) two (2) year option period.

On November 29, 2018, your Honorable Board authorized the County to exercise the two (2) year renewal option through September 14, 2020, and increase the aggregate amount of the Agreement by \$300,000.00 from an amount of \$450,000.00 to a new total amount not to exceed \$750,000.00

On August 27, 2020, your Honorable Board authorized the County to extend this Agreement for one (1) year from September 15, 2020 to September 14, 2021, and to increase the amount of the Agreement by \$150,000.00 from an amount of \$750,000.00 to a new amount of \$900,000.00 due to the COVID-19 pandemic and inability of the County to bid out this service.

Upon notification from the Secondary Contractor, the County was informed that effective as of January 4, 2021, the company name of the Secondary Contractor has been changed to Wind River Environmental, LLC dba Earthcare. We are advised that this is a name change only and the same office contact personnel will be used to perform the work, thus guaranteeing continuity throughout the Agreement. Except as specifically amended hereby, all other terms and conditions of Agreement No. WCA 15005, as previously amended, will remain the same.

Therefore, approval is requested to amend Agreement No. WCA 15005, as previously amended, to reflect the correct name of the Secondary Contractor.

A proposed form of Resolution to accomplish the foregoing is attached hereto.

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to amend Agreement No. WCA 15005 with Residuals Management Services LLC d/b/a Earthcare (the “Secondary Contractor”), 99 Maple Grange Road, Vernon, New Jersey 07462, as previously amended, for Glycol Removal and Transport, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York, to change the name of the Secondary Contractor to Wind River Environmental, LLC dba Earthcare, effective January 4, 2021; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of Agreement No. WCA 15005, as previously amended, shall remain the same; and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

Original Agreement:	\$450,000.00
First Amendment:	\$300,000.00
Second Amendment:	\$150,000.00
This Amendment:	\$ <u>0.00</u>
Total:	\$900,000.00

Agreement No. WCA 15005

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	161	44	4110	4380-07		N/A

Budget Funding Year(s) N/A Start Date 01/04/2021 End Date 09/14/21
(must match resolution)

Funding Source: Tax Dollars _____

State Aid _____

\$ N/A Federal Aid _____
(must match resolution)

Other Airport Special Revenue Fund