

**89809**

Date: December 21, 2021

To: The Honorable Board of Acquisition and Contract

From: Vincent F. Kopicki, P.E.  
Commissioner of Environmental Facilities

Re: Resolution to exempt from the Westchester County Procurement Policy the procurement of an amendment to a short-form contract with Cornerstone Engineering and Geology, PLLC to provide services related to management of the existing leachate collection system at the Sprout Brook Ash Disposal Facility, for a term commencing on September 15, 2020, and continuing through September 14, 2021, for an amount not-to-exceed \$35,000, by: 1) retroactively extending the term of the agreement from September 15, 2021, through September 14, 2022, and 2) increasing the total amount not-to-exceed thereunder by an additional \$35,000, to an amount not-to-exceed \$70,000, to provide further investigation of the leachate fields.

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Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures the procurement of an amendment to a short-form contract with Cornerstone Engineering and Geology, PLLC ("Cornerstone") to provide services related to management of the existing leachate collection system at the Sprout Brook Ash Disposal Facility, for a term commencing on September 15, 2020, and continuing through September 14, 2021, for an amount not-to-exceed \$35,000, by: 1) retroactively extending the term of the agreement from September 15, 2021, through September 14, 2022, and 2) increasing the total amount not-to-exceed thereunder by an additional \$35,000, to an amount not-to-exceed \$70,000, to provide further investigation of the leachate fields.

Cornerstone has already begun the process of investigating the leachate system and assisting the Department of Environmental Facilities ("DEF") in coordinating with the New York State Department of Environmental Conservation ("NYSDEC") to resolve the inaccessibility of the proprietary leachate monitoring system. This additional time and funding will allow for the completion of the investigation into different technologies and the completion of the initial tasks.

Pursuant to Section 3(a)xxi thereof, the Westchester County Procurement Policy is not applicable to any procurement for which your Honorable Board determines, by Resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interest of the County. It is proposed that the County's interest would be served by exempting the procurement of this amendment from the County Procurement Policy. A Resolution to exempt this procurement is submitted for your consideration.

As I believe this amendment to be in the best interests of the County, I most respectfully recommend and urge the adoption of the annexed Resolution.

VFK/DLV/dv

## RESOLUTION

Upon a communication from the Commissioner of Environmental Facilities, 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 proposals, is neither cost effective nor expedient, and accordingly, not in the best interest of the County of Westchester in connection with the procurement of an amendment to a short-form contract with Cornerstone Engineering and Geology, PLLC to provide services related to management of the existing leachate collection system at the Sprout Brook Ash Disposal Facility, for a term commencing on September 15, 2020, and continuing through September 14, 2021, for an amount not-to-exceed \$35,000, by: 1) retroactively extending the term of the agreement from September 15, 2021, through September 14, 2022, and 2) increasing the total amount not-to-exceed thereunder by an additional \$35,000, to an amount not-to-exceed \$70,000, to provide further investigation of the leachate fields.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/20/2022 - RAYMOND SULLIVAN, SECRETARY