

95736

**TO:** Board of Acquisition and Contract

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

**DATE:** August 30, 2022

**SUBJECT:** Resolution to Award to the Sole Bidder  
Contract No. **22-201**  
Service Contract for Andover Direct Digital Control (DDC) Systems  
at DPW Maintained Facilities  
Various Locations  
Westchester County, New York

**Contractor:** Energy Management of Facilities, Inc. dba EMF  
**Amount:** \$403,125.00

On August 24, 2022 the County of Westchester ("County") received and opened one (1) bid for Contract No. 22-201 for Service Contract for Andover Direct Digital Control (DDC) Systems at DPW Maintained Facilities, Various Locations, Westchester County, New York.

One (2) contractor submitted a bid for this project. The project was advertised on the Empire State Purchasing Group website, in addition to the Journal News (Westchester-Putnam Edition), and was viewed by seven (7) entities on the Empire State Purchasing Group website. In addition, e-mails were sent to those seven (7) entities and to an additional one hundred twenty (120) suppliers and contractors.

The bid was reviewed by the Department of Public Works and Transportation ("Department") and it was determined that Energy Management of Facilities, Inc. dba EMF submitted the sole bid in the amount of \$403,125.00.

The sole bidder has been investigated and it has been found that Energy Management of Facilities, Inc. dba EMF:

☒ Performed satisfactory work in the past for the County.  
☐ Past experience has been investigated and found satisfactory.

Funds for this project are available in the:

☐ Capital Budget  
☐ Non-Recurring Budget  
☒ Operating Budget  
☐ Other

The objective of this contract is to ensure that the Direct Digital Control System is operating within specified parameters.

August 30, 2022

This contract is in the public's best interest because it will promote the health and safety of the general public by maintaining heat and air conditioning within specified parameters.

As expenditures are made pursuant to this authorization, detailed records will be kept in the County's on-line financial system. These records will be easily accessible by Finance, Budget and department staff and will be reviewed regularly to ensure that funds are used appropriately.

This contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County.

It is my recommendation that Contract No. 22-201 be awarded to Energy Management of Facilities, Inc. dba EMF in the amount of \$403,125.00, subject to appropriations.

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/23/2022 - RAYMOND SCULKY, SECRETARY

# RESOLUTION

## CONTRACT NO. 22-201

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

**RESOLVED**, Contract No. 22-201 for Service Contract for Andover Direct Digital Control (DDC) Systems at DPW Maintained Facilities, Various Locations, Westchester County, New York. Award to Sole Bidder, Energy Management of Facilities, Inc. dba EMF, Hawthorne, New York, in the amount of \$403,125.00. (1 bid); and be it further

**RESOLVED**, that as set forth in the Contract No. 22-201 bid specifications this contract is for a term of three (3) years with one two (2) year renewal at the discretion of the County; and be it further

**RESOLVED**, that this contract is 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 authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate 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	3200	4380		\$53,750.00 (2023)
	101	46	3300	4380		\$26,875.00 (2023)
	101	46	3400	4380		\$53,750.00 (2023)
	101	46	3200	4380		\$53,750.00 (2024)
	101	46	3300	4380		\$26,875.00 (2024)
	101	46	3400	4380		\$53,750.00 (2024)
	101	46	3200	4380		\$53,750.00 (2025)
	101	46	3300	4380		\$26,875.00 (2025)
	101	46	3400	4380		\$53,750.00 (2025)

**Budget Funding Year(s):** 2023-2025  
(must match resolution)

**Start Date:** January 1, 2023

**End Date:** December 31, 2025

**Funding Source:** Tax Dollars \$403,125.00

**State Aid** \_\_\_\_\_

\$403,125.00  
(must match resolution)

**Federal Aid** \_\_\_\_\_

**Other** \_\_\_\_\_