

109982

November 20, 2024

TO: Board of Acquisition and Contract

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

SUBJECT: Authorization for Energy Management of Facilities, Inc. d/b/a EMF, to Assign Contract No. 22-201 for maintenance services for Andover DDC Systems at various Public Works facilities, to Technical Building Services, Inc., a Stark Tech Business, effective upon execution of the Assignment Contract.

By a resolution approved on September 23, 2022, your Honorable Board authorized the County of Westchester (the County), acting by and through its Department of Public Works and Transportation (the "Department"), to enter into an agreement designated as "22-201" with Energy Management of Facilities, Inc. d/b/a EMF, 581 N State Rd, Ste 6, Briarcliff Manor, NY 10510 ("EMF"), pursuant to which EMF agreed to provide the County with maintenance services for the County's Andover Direct Digital Control (DDC) Systems, at various Public Works facilities, for the term January 1, 2023 through December 31, 2025, with one two year renewal at the discretion of the County, in the total aggregate amount not-to-exceed of \$403,125 (the "Agreement"). The Agreement was subsequently executed.

By letter dated June 5, 2023, EMF informed the Department that it had been acquired by Technical Building Services, Inc., 12E Commerce Dr. Ballston Spa, NY 12020 ("TBS"). EMF has requested that the County consent to the assignment of the Agreement to TBS (the "Assignment Contract").

Accordingly, authority is hereby requested of your Honorable Board to authorize the County to consent to the assignment of Contract No. 22-201, from EMF to TBS, effective upon execution of the Assignment Contract by all parties and approval of same by the Office of the County Attorney. All other terms and conditions of Contract No. 22-201, shall remain in full force and effect.

The 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”), through its Department of Public Works and Transportation (the “Department”), is hereby authorized to consent to the assignment of Contract No. 22-201, for maintenance services for the County’s Andover Direct Digital Control (DDC) Systems, at various County Public Works facilities, from Energy Management of Facilities, Inc. d/b/a EMF, 581 N State Rd, STE 6, Briarcliff Manor, NY 10510-1556 (“EMF”), to Technical Building Services, Inc., a Stark Tech Business, 12E Commerce Dr. Ballston Spa, NY 12020 (the “Assignment Contract”), effective upon execution of the Assignment Contract by all parties and approval of same by the Office of the County Attorney; and be it further

RESOLVED, that as a condition for the granting of the County’s consent to this assignment, Technical Building Services, Inc., a Stark Tech Business, will comply with all contract provisions; and be it further

RESOLVED, that all other terms and conditions of Contract No. 22-201, shall remain in full force and effect; 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.

Contract No. 22-201

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3200	4380		N/A
	101	46	3300	4380		N/A
	101	46	3400	4380		N/A

Budget Funding Year(s): 2023 - 2025 Start Date: January 1, 2023 End Date: December 31, 2025
 (must match resolution)

Funding Source: Tax Dollars: N/A

State Aid: _____

\$N/A Federal Aid: _____

(must match resolution)

Other: _____