



George Latimer
County Executive

Department of Budget

Lawrence C. Soule
Budget Director

110177

Date: December 23, 2024

To: Honorable Members of the Board of Acquisition & Contract

From: Lawrence G. Soule
Budget Director

Re: Resolution to exempt from the application of Westchester County Procurement Policy pursuant to Section 3(a)(xxi) thereof, the procurement of a second amendment to an agreement with Permut Consulting LLC, utilizing Robert Bergen as an approved sub-consultant, pursuant to which Permut will provide advisory services in connection with County capital projects for an extended term from January 1, 2024 through March 31, 2025 for a total amount not to exceed \$300,000.00 payable at a rate of \$500.00 per hour.

Authority is hereby requested from your Honorable Board to exempt from the application of Westchester County Procurement Policy and Procedures (the "Policy") pursuant to Section 3(a)(xxi) thereof, the procurement of additional consulting services for an additional term by a second amendment to an agreement between the County of Westchester ("County") and Permut Consulting LLC ("Permut"), utilizing Robert Bergen as an approved sub-consultant. Permut will provide additional advisory services in connection with County capital projects for a term from January 1, 2024 through March 31, 2025 for a total amount not to exceed \$300,000.00 payable at a rate of \$500.00 per hour. The termination date of March 31, 2025 represents a three-month extension from the prior termination date of December 31, 2024.

By resolution dated January 25, 2024, your Honorable Board authorized the County to enter the Agreement ("Prior Resolution") and the Agreement was executed thereafter. Subsequently, a first amendment to the Agreement was duly executed to increase the amount payable by \$150,000 to a new total amount not to exceed \$300,000 payable under the Agreement, and to revise the scope of services.

Now, Permut has proceeded with its review and analysis as required by the Agreement. The complexity and size of the County's five-year Capital Program has demonstrated that the amount of time required to complete the services as contemplated in the Agreement has proven to be insufficient.

Permut's long term, direct experience and knowledge with respect to these matters makes it a unique resource. This contract will enable the County to improve its fiscal practices and the efficiency of its procedures. It will ensure that the County has the necessary expertise in connection with these matters.

Pursuant to Section 3(a)(xxi) of the Policy, the 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. For the reasons set forth above, it is proposed that the County's interest would be served by exempting the procurement of this Second Amendment from the Policy. A Resolution to exempt the procurement of this second amendment in order to extend the term is submitted for your consideration.

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/02/2025 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the Budget Director, 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 (“County”) in connection with the procurement of additional services by a second amendment to an agreement with Permut Consulting, LLC (“Permut”), utilizing Robert Bergen as an approved sub-consultant, pursuant to which Permut provides advisory services in connection with the County’s capital projects, in order to extend the term of the agreement through March 31, 2025.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/02/2025 - RAYMOND SCUKY, SECRETARY