

By Legislators Delehanty and DiFlorio

Intro. No. ____

RESOLUTION NO. ____ OF 2021

AUTHORIZING CONTRACT WITH TROY & BANKS, INC. FOR COST-RECOVERY AUDIT OF UTILITY EXPENSES

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with Troy & Banks, Inc. for a cost-recovery audit of utility expenses based on a contingency fee of 24% of any refunds, credits, and/or savings they obtain for the County up to \$55,000, for the period of January 1, 2020 through December 31, 2021.

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Committee of the Whole; March 23, 2021 - CV: 28-0
File No. 21-0110

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

March 5, 2021

OFFICIAL FILE COPY	
No.	<u>210110</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
<u>WAYS & MEANS</u> -L	

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Authorize a Contract with Troy & Banks, Inc. for a Cost-Recovery Audit of Utility Expenses

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with Troy & Banks, Inc., based on a contingency fee of 24% of any refunds, credits, and/or savings they obtain for the County up to \$55,000, for a cost-recovery audit of Monroe County's utility expenses, for the period of January 1, 2020 through December 31, 2021.

Troy & Banks, Inc. will conduct an audit of utility (electric, natural gas, steam/water, and telephony) service accounts for the purpose of securing refunds, credits and cost reductions resulting from discovery of charges or costs in excess of those permitted or allowed by applicable contracts, tariffs, statutes, rules and regulations and/or from overcharges and billing errors. The audit period will be from January 1, 2014 to December 31, 2019.

Monroe County's Minority and Women-Owned Business Enterprise ("M/WBE") Policy is set by the Monroe County Legislature pursuant to Resolution 69 of 1989, as amended by Resolution 240 of 2014. A request for qualifications ("RFQ") was issued for this contract in 2019 and a selection was made in October 2019. M/WBE utilization was not a selection criteria under this RFQ, but I have directed the Division of Purchasing and Central Services and all Department Heads to include M/WBE utilization as a selection criteria in all RFQs, Requests for Proposal, and Expressions of Interest going forward. Troy & Banks, Inc. was rated the most qualified to provide the services, but is not listed in New York State's M/WBE Directory of Certified Firms.

The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with Troy & Banks, Inc., 2216 Kensington Avenue, Buffalo, New York 14226, for a cost-recovery audit of utility expenses based on a contingency fee of 24% of any refunds, credits, and/or savings they obtain for the County up to \$55,000, for the period of January 1, 2020 through December 31, 2021.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

This contract is revenue generating and no net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Troy & Banks, Inc., nor its principal officer, Thomas Ranallo, President, owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive

AJB:db