

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, NOVEMBER 10, 2016 AT 12:00 P.M.**

County Executive
Chairman, Board of Legislators
Budget Director
Deputy County Executive
Deputy County Attorney
Commissioner of Finance
County Executive's Office
County Executive's Office
Board of Legislators
Board of Legislators
Board of Legislators
Secretary BAC
Assistant Secretary

Robert P. Astorino
Michael Kaplowitz
Lawrence Soule
Kevin Plunkett
Jim Robertson
AnnMarie Berg
Katy Delgado
Carl Pagano
Greg Casciato
Gary Friedman
Allie Restiano
Lisa Mrijaj
Joan Cocciardi

Mr. Astorino presided.

Mr. Astorino said, "For the record, has the Secretary to the Board gone to the reception area to invite any members of the public who wish to attend today's meeting to come to the conference room?"

Ms. Mrijaj confirmed that she had done so.

Mr. Astorino said, "I understand the Budget Director wishes to make two motions."

Mr. Soule said, "I move to add item 20 (OnBase ID #53172) to the agenda. This resolution would authorize the County to solicit bids by public advertisement for Contract No. EF-1613 - Replacement of Doors, Department of Environmental Facilities, Various Locations, Westchester County, New York."

Mr. Kaplowitz seconded the motion and it was unanimously approved.

Mr. Soule continued, "I move to add item 21 (OnBase ID #53232) to the agenda. This is a resolution to award to the low bidder Contract No. 07-549-Rev., Pool Modernization, Sprain Ridge Park, Yonkers New York to ELQ Industries, Inc. in the amount of \$7,771,000.00."

Mr. Astorino seconded the motion and it was unanimously approved.

Acquisition & Contract. Minutes of the meeting 11/3/16 and the SEQR Review for agenda items.

L. Mrijaj

Mr. Astorino moved to receive and file the foregoing minutes and SEQR review, which were duly seconded and approved.

1. (52965) **CE/Office of Tourism - Enter into a Film Permit with Pacific Possible Productions, Inc. to authorize filming at the Westchester County Jail, Valhalla, New York between 8/19/16 – 8/24/16 with a permit fee of \$26,905.**

N. Caputo

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

2. (52966) **CE/Office of Tourism** - Enter into a Film Permit with Starz Power Productions, LLC to authorize filming at the Westchester County Jail, Valhalla, New York between 10/3/16 – 10/7/16 with a permit fee of \$20,705.

N. Caputo

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

3. (52967) **CE/Office of Tourism** - Enter into a Film Permit with Starz Power Productions, LLC to authorize filming at the Westchester County Jail, Valhalla, New York between 9/27/16 – 9/30/16 with a permit fee of \$26,270.

N. Caputo

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

4. (52984) **CE/Office of Tourism** - Enter into an agreement with Harrison Edwards, Inc. to provide public relations services to promote the County as an attractive business-friendly destination for TV and film production from 9/1/16 – 5/31/18, for a total amount not to exceed \$80,000, under the listed terms and conditions.

N. Caputo

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

5. (52812) **County Attorney** – Enter into **1)** a grant agreement with the New York State Office of Indigent Legal Services for the receipt of \$5,586,993 to improve the quality of indigent legal services by implementing the County's indigent legal services work plan (Distribution #5; grant contract no. C000755) approved by the State from 1/1/15 – 12/31/17; **2)** an agreement with the Legal Aid Society of Westchester and the Westchester County Bar Association to improve the quality of indigent legal services by implementing the County's indigent legal services work plan (distribution #5) approved by the State from 1/1/15 – 12/31/17.

R. Meehan

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

6. (52818) **County Attorney** - Enter into **1)** a grant agreement with New York State Office of Indigent Legal Services (Regional Immigration Assistance Center Contract No. C00085) for the receipt of \$1,350,000 to improve the quality of mandated indigent legal services by the creation of a Regional Immigration Assistance Center for the Hudson Valley Region from 11/1/15 – 10/31/18; **2)** an agreement with the Legal Aid Society of Westchester to implement the County work plan under the Regional Immigration Assistance Center Grant from the New York State Office of Indigent Legal Services in an amount not to exceed \$1,350,000, from 11/1/15 – 10/31/18.

R. Meehan

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

7. (52939) **County Attorney** – Amend a consultant agreement with the law firm of Holwell Shuster & Goldberg, LLP to which the Consultant agreed to assist the County in replying to the Monitor's Report regarding Westchester County's compliance with Paragraph 33 (c) of the Stipulation and Order of Settlement and Dismissal in the matter of United States of America, ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York, and with other related matters as they arise from 3/31/16 – 3/30/17 for an amount not to exceed \$150,000, by adding an additional Associate Attorney to the listed rate schedule who will be paid at the rate of \$360/hour and substituting the revised rate schedule set forth in Schedule "A-1".

R. Meehan

Mr. Astorino moved the resolution, which was duly seconded and approved by Mr. Soule and Mr. Astorino. Mr. Kaplowitz voted in the negative.

8. (52972) **County Attorney** – Enter into agreements with the law firms of Hawkins, Delafield & Wood LLP; Norton Rose Fulbright US LLP; and Harris Beach PLLC to serve as the County's bond counsel in an "of counsel" capacity to the County Attorney, from 8/1/16 – 7/31/19, in an aggregate contract amount not to exceed \$1,350,000.

Meehan/Berg

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

9. (52935) **CE/Emergency Services** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with United Way of Westchester and Putnam, Inc.

J. Cullen

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

10. (52936) **CE/Emergency Services** - Enter into an agreement with United Way of Westchester and Putnam, Inc. in order to utilize United Way's 2-1-1 service to assist with the continued operation of the County's Special Needs Registry from 10/1/16 – 9/30/19, for a total contract amount of \$57,000, under the listed terms and conditions.

J. Cullen

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

11. (52959) **Social Services** - Enter into an agreement with the United States Department of Health and Human Services, Administration for Children and Families in order to accept a grant in the amount of \$670,000 (Award No. 90CA1837-02-00) to provide Phase Two of a Youth Homelessness Prevention Initiative entitled "Westchester Building Futures" from 9/30/16 – 9/29/17.

K. McGuire

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

12. (52962) **Social Services** - Enter into an agreement with Fordham University in the amount of \$148,598 to provide program evaluation consulting services and with Student Advocacy, Inc. in the amount of \$40,000 for educational assessments and student advocacy services from 9/30/16 – 9/29/17, as part of the Youth Homeless Prevention Initiative entitled "Westchester Building Futures".

K. McGuire

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

13. (52977) **Social Services** - Amend a 9/8/16 resolution with The Children's Village, Inc. to provide a Positive Youth Development Initiative, from 6/1/16 – 9/29/16 in an amount not to exceed \$66,667, by extending the term of the agreement to 9/29/17 and to increase the amount by \$200,000, for a new total not to exceed amount of \$266,667.

K. McGuire

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

14. (52963) **Health** - Amend a 3/5/15 resolution to enter into agreements with approved Related Services providers, pursuant to Section 4410, Part 200 of the New York State Education law, in order to add three additional approved Related Services Providers: Kristen H. Bellom, Play And Grow Physical Therapy and Speech Language Pathology PLLC and Sprout Therapy Group – Physical Therapy, Occupational Therapy, Speech and Language Pathology, LLC, effective 12/1/16 to the list, subject to the same terms and conditions.

S. Amler

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

15. (52985) **Labs and Research** - Renew an agreement with On Assignment Staffing Services, Inc. for the provision of temporary laboratory personnel on an as-needed basis, at a total annual cost to the County not to exceed \$154,125, for this one (1) year extension period commencing on 1/1/17 and terminating on 12/31/17, under the listed terms and conditions.

K. Ashar

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

16. (52960) **College** - Enter into affiliation agreements with the six (6) listed organizations for the provision of supervised laboratory/clinical education and instruction, from 9/1/16 – 12/31/21, under the listed terms and conditions.

B. Miles

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

17. (52979) **College** - Amend a 1/14/16 resolution approving a number of affiliation agreements for students in the EMS/Paramedic Program by correcting the name of the contracting party from Cortlandt Regional Paramedics to the Town of Cortlandt.

B. Miles

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

18. (52968) **Public Safety** – Enter into an agreement with Jay Davidowitz, PhD for the provision of psychological evaluations of applicants for police officer, emergency force and park ranger positions from 1/1/17 – 12/31/21, for an amount not to exceed \$190,000, payable at the rates set forth in the listed Schedule "A".

G. Longworth

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

19. (52986) **Parks** – Amend a license agreement with Pepsi Cola Bottling Company of New York, Inc. for the pouring rights of Pepsi's complete line of beverages at Playland Park and other Westchester County Parks, Recreation and Conservation facilities from 1/1/16 – 12/31/20, by authorizing that the following defense and indemnity provision be included in the license agreement : "Advertiser agrees: (a) that except for the amount, if any, of damage contributed to, caused by or resulting from the negligence of the County, the Advertiser shall indemnify and hold harmless the County, its elected officials, officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, reasonable attorneys' fees or loss arising directly out of Advertiser's negligent conduct or breach of this agreement; and (b) that except for the defense of claims, demands, or causes of action caused by or resulting from the negligence of the County, its elected officials, officers, employees and agents, to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action arising directly out of Advertiser's negligent conduct or breach of this agreement and to bear all other costs and reasonable expenses related thereto."

K. O'Connor

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

20. (53172) **DEF** –Contract EF-1613 Replacement of Doors, Department of Environmental Facilities, Various Locations, Westchester County, New York. Advertise for bids.

T. Lauro

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

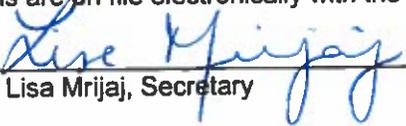
21. (53232) **DPW/Transportation** – Contract 07-549-Rev. Pool Modernization, Sprain Ridge Park, Yonkers, New York. Award to low bidder, ELQ Industries, Inc., New Rochelle, NY in the amount of \$7,771,000.00. (2 bidders)

V. Kopicki

Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

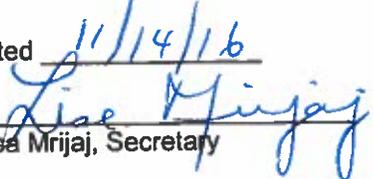
This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

There being no further business, the Chair declared the meeting adjourned. All approved resolutions are on file electronically with the Board of Acquisition and Contract.



Lisa Mrijaj, Secretary

I have reviewed the foregoing minutes and have found them to be correct as written.

Dated 11/14/16


Lisa Mrijaj, Secretary