

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, SEPTEMBER 23, 2010 AT 11:00 A.M.**

County Executive	Rob Astorino
Chair, Board of Legislators	Ken Jenkins
Commissioner of Public Works	John Hsu
Deputy County Executive	Kevin Plunkett
Deputy County Attorney	Jim Robertson
County Executive's Office	Christine Sculti
Information Technology	Marguerite Beirne
Office of Budget	Patricia Haggerty
Board of Legislators	Anne Reasoner
League of Women Voters of Westchester	Susan Schwarz
Secretary BAC	JoMary Vieira
Assistant Secretary BAC	Joan Cocciardi

Mr. Astorino presided.

Mr. Astorino said, "Before we begin the meeting, has the Secretary checked the reception area to make sure that all members of the public who wish to attend this meeting have been invited into this conference room?"

Ms. Vieira confirmed that she had done so.

Acquisition & Contract. Minutes of the meeting of 9/16/10 and the SEQR Review for agenda items.

J. Vieira

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

1. (12455) **CE/Youth Bureau** - Enter into an agreement with the Town of Greenburgh, to operate the Blue Nile Rites of Passage program, from 10/1/09 – 6/30/10, in a total not to exceed amount of \$45,000.

M. Cabaleiro

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

2. (13863) **Human Resources – OVER BY BOARD OF LEGISLATORS.** Request authority, pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with John Russell Imlay for the provision of consulting services in connection with the processing of County personnel employment transactions, in an amount not to exceed \$20,000, from 9/1/10 – 12/31/10.

K. Oristano

3. (13226) **Finance – OVER BY BOARD OF LEGISLATORS.** Request authority, pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with the firm of Labor Cost Management, Troy, New York, for provision of Social Security and Medical Insurance Tax overpayment recovery services related to the loss of time injury cases.

A. Berg

4. (13227) **Finance – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with the firm of Labor Cost Management, Troy, NY, for the provision of Social Security and Medical Insurance Tax overpayment recovery services for tax years 2007, 2008 and 2009 on behalf of the County of Westchester and those injured County employees who authorize recovery, from 9/1/10 – 8/31/11, under the listed terms and conditions.

A. Berg

5. (13951) **Finance** - Enter into an agreement with Triad Group, LLC, to provide on-the-job injury/illness claim administration and case management services, from 11/1/10 – 10/31/13, for a total amount not to exceed \$450,000 per year, to be paid on a per-claim basis at the rates contained in Schedule "B", for a total aggregate amount not to exceed \$1,350,000, and approve a list of subcontractors for specified services provided in Schedule "A", under the listed terms and conditions.

A. Berg

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

6. (13900) **Finance** - Settle, subject to the approval of the Workers' Compensation Board, the Workers' Compensation case with Shelley Montgomery, Compensation Case Nos. WC280332 and WC290026 for a lump sum of \$52,000.

Berg/Meehan

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

7. (13953) **County Attorney** - Settle the lawsuit of Willie Powell v. County of Westchester in the amount of \$25,000.

R. Meehan

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

8. (13962) **County Attorney** - Enter into a retainer agreement with the law firm of Friedman Harfenist Kraut & Perlstein, LLP, Purchase, to provide legal representation to C.O. Mark Footes in the matter of Quincy Barnes v. Westchester County, Andrew J. Spano, Joseph K. Spano, Anthony Amicucci and C.O. Mark Footes, from 9/8/10 – 9/7/11, for a total aggregate amount not to exceed \$200,000, under the listed terms and conditions.

R. Meehan

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

9. (13266) **County Attorney** - Enter into contracts with the law firms of Hawkins, Delafield & Wood LLP; Fulbright & Jaworski LLP; Mintz, Levin, Cohn, Ferris, Glovsky and Popeo P.C., and Nixon Peabody LLP to serve as the County's bond counsel in an "of counsel" capacity to the County Attorney, from 8/1/10 - 7/31/13, in an aggregate amount not to exceed \$400,000, per year, for a total aggregate contract amount not to exceed \$1,200,000, payable in accordance with the attached schedule of fees.

Meehan/Berg

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

10. (13873) **Planning** - Enter into an agreement with John Jay Landscape Development, Ltd., for the maintenance of a stormwater management project at sites on County property, in the amount of \$18,000, from 9/10/10 – 9/9/12.

E. Buroughs

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

11. (13801) **County Clerk** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Laura Laibowitz, Cortlandt Manor, for consultant services for the Office of the County Clerk, for a total amount not to exceed \$9,808, from 9/13/10 – 12/10/10.

T. Idoni

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

12. (13766) **Social Services - 1)** Renew a Grant Agreement with the U.S. Department of Housing and Urban Development to receive and administer a Grant in the amount of \$105,000 to be used in implementing a supportive housing program to provide transitional housing and supportive services to victims of domestic violence, from 11/1/10 – 10/31/11; and **2)** Enter into a separate agreement with My Sisters' Place, Inc., for the same period to operate the aforesaid program using the funds in the amount of \$105,000 made available through the aforesaid grant.

G. Mitchell

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

13. (13807) **Social Services** - Amend an agreement with NY Wired for Education, Inc., (dated on or about 1/13/10) pursuant to which NY Wired provides licenses to customers of the County's One Stop Employment Center to allow said customers to access career oriented on-line occupational skill assessments and training, from 11/1/09 – 9/30/10, for an amount not to exceed \$20,000, by **1)** extending the term of the agreement by nine months to end on 6/30/11, and **2)** increasing the not to exceed amount by \$20,000, for a new not to exceed amount of \$40,000 to cover the cost associated with providing additional customers with licenses as well as continuing the said services to current customers.

G. Mitchell

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

14. (13885) **Social Services - 1)** Renew into a Grant Agreement with the U.S. Department of Housing and Urban Development to receive and administer a Grant in the amount of \$48,530 to be used in implementing a supportive housing program to pay rental expenses for housing approximately sixteen (16) homeless youths transitioning out of foster care, from 9/1/10 – 8/31/11; and **2)** Enter into a separate agreement with The Children's Village, Inc., for the same period, to operate the aforesaid program using the funds in the amount of \$48,530 made available through the aforesaid grant.

G. Mitchell

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

15. (13886) **Social Services** – Enter into an agreement with Westchester RISE, Inc., to provide a Student Transition Assistance and Job Readiness Program for students in grades 9-12 who are eligible for Temporary Assistance for Needy Families (TANF) services at Woodlands High School, from 10/1/10 – 8/31/11, for an amount not to exceed \$74,250.

G. Mitchell

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

16. (13887) **Social Services** - Enter into an agreement with Nepperhan Community Center, Inc., to provide the "Achieving Success" after school program for students ages 13-17 who qualify for Temporary Assistance for Needy Families (TANF) services, from 11/1/10 – 8/31/11, for an amount not to exceed \$57,750.

G. Mitchell

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

17. (13950) **Social Services** - Enter into a contract with each of the four (4) contractors listed, to provide an occupational skill, training, employment and job placement program for fifty (50) eligible TANF recipients, from 7/1/10 – 12/31/10, for a total aggregate amount not to exceed \$261,200 for all four (4) agreements.

G. Mitchell

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

18. (13893) **Mental Health – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with ABA Business Technologies for the provision of on-site technical assistance and training in the use and report generating aspect of the Department's billing software system, in an amount not to exceed \$60,000, from 1/1/09 – 6/1/10, by extending the end date to 12/31/10.

Mitchell/Beirne

19. (13866) **Labs and Research** - Amend an agreement with Health Research, Inc., pursuant to which the County has accepted a grant in the amount of \$100,000, which provides funding for the operation of the County's H1N1 testing, by extending the term from an initial termination date of 8/9/10 to a new termination date of **8/30/10**.

K. Ashar

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

20. (13894) **College** – Contract No. WCC-10-882-Rev., for Signage for Gateway Building, Westchester Community College, Valhalla, New York. Reject all bids and Re-advertise as WCC-10-882-Rev.

J. Hankin

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

21. (13898) **College** – Contract No. WCC-10-884, for Upgrade of Main Gas Meter, Westchester Community College, Valhalla, New York. Advertise for bids.

J. Hankin

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

22. (13802) **Public Safety** - Enter into an agreement with Dr. Jay Davidowitz for the provision of psychological evaluations of applicants for police officer, emergency force and park ranger positions, from 1/1/11 – 12/31/13, for an amount not to exceed \$90,000, payable at the rates set forth in the attached Schedule "A".
G. Longworth
Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.
23. (13901) **Transportation** - Enter into an agreement with PASSUR Aerospace, Inc., to provide field condition reports to airlines at the Westchester County Airport, from 9/1/10 – 8/31/12, for a fee not to exceed \$73,440.
J. Hsu
Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.
24. (13902) **Transportation – WITHDRAWN BY DEPARTMENT.** Request authority to enter into an agreement with Young Environmental Sciences to perform a noise contour study at the Westchester County Airport, from 10/1/10 – 12/31/11, for an amount not to exceed \$99,917.
J. Hsu
25. (13929) **DPW** – Contract No. 09-220, with White Marine, Inc., for West Leaf Reducer Shaft Replacement of the Fulton Avenue Bridge Over the Hutchinson River, City of Mount Vernon and Village of Pelham Manor, New York. Completed work and Final Contract Amount of \$66,412.30.
J. Hsu
Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.
26. (13930) **DPW** – Contract No. 09-508, for Pump Station Rehabilitation Program, Magnolia and Woodbine Pump Stations, Larchmont, New York. Advertise for bids.
J. Hsu
Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.
27. (13932) **DPW** – Contract No. 10-522, for Replacement of Manual Skimmers on Final Clarifiers, Peekskill Wastewater Treatment Plant, Peekskill, New York. Advertise for bids.
J. Hsu
Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.
28. (13933) **DPW** – Contract No. 08-540, with Yonkers Contracting Company, Inc., for Composite Performance Implementation and Plant Expansion, New Rochelle Wastewater Treatment Plant, New Rochelle, New York. Approved Coastal Tile & Marble, Inc., North White Plains; Fairway Testing, Stony Point, NY; Sign Design Group of New York, Inc., (MBE) Long Island City, and Tyrek Heights Erectors, Inc. (MBE), Yonkers, as subcontractors.
J. Hsu
Mr. Astorino moved the resolution, which was duly seconded and unanimously approved.

29. (13934) **DPW** – Contract No. 08-549, with Titan Construction Group, Inc., for Building Renovations, 1932 Jail, Norwood E. Jackson Correctional Center, Valhalla Campus, Valhalla, New York. Approved Bronx Fireproofers & Fire Stopping (MBE), Bronx, as a subcontractor.

J. Hsu

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

30. (13577) **DEF** – Enter into a Grant Agreement with the State of New York as part of the Household Chemical Waste Collection Program for the State DEC 2009 Fiscal Grant Year, pursuant to Chapter 610 of the Laws of 1993, whereby the County will be reimbursed for up to 50% of actual and eligible expenses incurred, from 4/1/09 – 3/31/10 to cover the State's 2009 fiscal grant year program; and the County has fully funded all costs associated with the 2009 and 2010 Household Chemical Waste Collection Program.

T. Lauro

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.



(Jo Mary Vieira – Secretary)

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

Dated 9/23/10



Jo Mary Vieira, Secretary
Board of Acquisition & Contract