

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, JULY 18, 2019 @ 11:00 A.M.**

Deputy County Executive
Chair, Board of Legislators
Budget Director
Assistant Chief Deputy County Attorney
Commissioner of Finance
County Executive's Office
County Executive's Office
Budget
Board of Legislators
Board of Legislators
DPW/A&C Intern
Secretary BAC
Assistant Secretary BAC

Ken Jenkins
Benjamin Boykin
Larry Soule
Tami Altschiller
AnnMarie Berg
Andrew Ferris
Carl Pagano
Pat Haggerty
Greg Casciato
Dennis Power
Nicolas Dispenza
Lisa Mrijaj
Joan Cocciardi

Mr. Jenkins presided.

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

Mr. Soule said, "I move to add item 17 (OnBase ID #70733) to the agenda. Resolution seeking authorization for the County, acting through the Department of Public Works and Transportation, to enter into an agreement with STV Incorporated, pursuant to which it will provide the County with consulting services concerning the procurement of up to one hundred eight (108) 40-foot, heavy-duty, low-floor, hybrid electric buses."

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

Mr. Soule continued, "I move to add item 18 (OnBase ID #70752) Resolution authorizing the County, acting by and through the Department of Parks, Recreation and Conservation, to enter into a First Amendment to the revenue share license agreement with Zamperla, Inc., dated June 4, 2019, pursuant to which Zamperla agreed to provide and place the Disk'O 24, Park Model ride at Playland Park located in Rye, New York, in order to authorize Zamperla to perform certain additional infrastructure work needed for the Ride for a total cost for the additional work of \$128,417.73, and Zamperla and the County agreeing to share the total cost for the additional work by i) Zamperla incurring \$50,000 of the total cost and not being reimbursed by the County for such \$50,000, and ii) the County reimbursing Zamperla \$78,417.73 of the total cost, thereby increasing the total new contract not to exceed amount for the County for the Agreement, plus the First Amendment, to \$383,417.73, with all other terms and conditions of the Agreement remaining the same."

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

Mr. Boykin said, "I just like to make a couple of quick comments regarding item #12 which is this request that we do not have the exempt from the procurement agreement with Peter Hamilton LLP attorneys. They are going to be working as a consultant for the work that is going to be done at the Port Chester facility. I just want to make sure that we are protected because at the Mamaroneck facility we had a spill for which we weren't reimbursed. I just wanted to make sure that we were protected as we move forward with the contract."

Mr. Jenkins said, "Understood we will make sure that that happens and get that information to the Board of Legislators Mr. Chairman."

Acquisition & Contract. Minutes of the meeting 7/11/19 and the SEQR Review for agenda items.

L. Mrijaj

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

1. (70419) **County Attorney - Settle the lawsuit of Melani Lambert-Suin v The County of Westchester and Kevin M. Roseman**, by payment from the County of Westchester to Melanie Lambert-Suin in an amount not to exceed \$40,000.

J. Nonna

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

2. (70626) **County Attorney – Contract No. LAW 1104 for Family Court Proceedings Service of Legal Documents.** Awarded to Low Bidder, Nationwide Court Services, Inc., Ronkonkoma, NY, in the amount of \$349,930/yr, for a total contract amount not to exceed \$699,860, from 8/1/19 – 7/31/21. (3 bids)

J. Nonna

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

3. (70289) **Social Services - Amend an agreement with Westhab, Inc., to conduct a TechHire boot camp to accelerate re-employment, short-term and long-term training, and work opportunities for youth, the hard-to-serve, and long term unemployed individuals in high-demand H-1B-eligible technology industries such as IT, healthcare, advanced manufacturing, and bio-technology for the period of 1/1/17 – 6/30/20, for a total aggregate amount not to exceed \$600,000, by increasing the amount by \$102,000, to a new total not to exceed amount of \$702,000, to enable Westhab, Inc., to provide additional boot camp services to 100 new participants recruited by the Department, and with Westhab continuing to subcontract with The Workplace, Inc., to provide the Platform to Employment boot camps.**

K. McGuire

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

4. (70658) **College** – Accept the completed work under Contract WCC-14-943 – Health Science Building Renovation and Improvements, and the Sub-Contractor's Certificate – Application for Payment from Unity Mechanical, Inc., is approved in the Final Contract Amount of \$195,704.12 is approved; and the College is hereby authorized to pay Travelers Casualty and Surety Company of America, the balance due on the net Final Estimate in the amount of \$195,704.12, payable to "Dreifuss Bonacci & Parker, PC Attorney Trust Account", and Travelers will defend, indemnify and hold harmless the County from any claim that the County improperly paid contract funds to Travelers.

B. Miles

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

5. (70669) **Community Mental Health** – Amend an existing agreement with Lexington Center for Recovery, Inc., for certain additional services to address opioid use in the County, for a not to exceed amount of \$30,000, in order to extend the program term to a new end date of 8/31/19.

M. Orth

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

6. (70139) **Parks** - Enter into an agreement with Adirondack Scenic, Inc., d/b/a Adirondack Studios, Inc., to complete repair work to design elements of the Dragon Coaster at the County's Playland Park located in Rye, New York, for a term of 7/29/19 – 7/28/20, for an amount not to exceed \$73,365.

K. O'Connor

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

7. (70027) **DPW/Transportation** – Contract No. 19-500 to Rehabilitate Runway 16/34, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Awarded to Low Bidder, Tully Construction Co. /Intercounty Paving Associates of NY, LLC, Flushing, NY, in the amount of \$21,654,180. Approval of Verde Electric Maintenance Corporation, Mount Vernon, NY and Safety Marking, Inc., Bridgeport, CT, as subcontractors. (4 bids)

H. Greechan

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

8. (70260) **DPW/Transportation** – Enter into an agreement with the United States of America, acting by and through the Federal Aviation Administration, to accept an Airport Improvement Program Entitlement grant of \$14,874,994 for Capital Project Number A0118 – Runway 16/34 Rehabilitation at the Westchester County Airport, to fund the rehabilitation of Runway 16/34 at the Westchester County Airport, under the listed terms and conditions. (Grant No. 3-36-0123-130-2019)

H. Greechan

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

9. (70261) **DPW/Transportation** – Enter into an agreement with the United States of America, acting by and through the Federal Aviation Administration, to accept a 2018-2020 Supplemental Airport Improvement Program Discretionary grant of \$4,708,891 for Capital Project Number A0118 – Runway 16/34 Rehabilitation at the Westchester County Airport, to fund the rehabilitation of Runway 16/34 at the Westchester County Airport, under the listed terms and conditions. (Grant No. 3-36-0123-131-2019)

H. Greechan

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

10. (70262) **DPW/Transportation** – Amend Agreement No. 14-929 retroactively from 6/30/19, with Baker | LiRo Joint Venture for engineering services in connection with the Rehabilitation of Runway 16/34 Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York, for additional construction administration services associated with this project, for a proposal fee of \$2,127,377, increasing the total maximum fee to \$3,616,202.53, and extending the completion date to 12/31/21. Approval of the three (3) listed subconsultants.

H. Greechan

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

11. (70357) **DPW/Transportation** - Amend Agreement No. 14-938 with Lockwood, Kessler & Bartlett, Inc., for engineering services in connection with the Bronx River Parkway Rehabilitation Program – Phase I, from the Bronx/Westchester Border to Scarsdale, Road, Cities of Yonkers and Mount Vernon and Villages of Bronxville and Tuckahoe, New York, to provide additional design services associated with this project, for a proposal fee of \$125,000, increasing the total maximum fee to \$491,500, and extending the completion date to 12/31/22.

H. Greechan

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

12. (70358) **DPW/Transportation** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement Agreement #19-806 with PEPPER Hamilton, LLP, Attorneys at Law, for consulting services in connection with the preparation of certain bid specifications for the design and possible construction of a denitrification process at the Port Chester Water Resource Recovery Facility, in order to ensure the continued compliance with the County's aggregate Long Island Sound Total Nitrogen discharge limit per Consent Order Case No. CO 3-20080730-65 and the State Pollutant Discharge Elimination System Permit.

H. Greechan

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

13. (70368) **DPW/Transportation** - Enter into Agreement No. 19-917 with the State of New York for Rehabilitation of Main Street Bridge over Bronx River Parkway and Bronx River, City of White Plains, Westchester County, New York, with the County being eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% federal funds and 5% non-federal funds, for an amount of \$8,300,000, from 8/1/19 – 3/31/29, under the listed terms and conditions.

H. Greechan

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

14. (70369) **DPW/Transportation** – Contract No. 19-209 for Countywide Installation of Data, Telephone and Branch Circuitry, Various Locations, Westchester County, New York. Advertise for bids.

H. Greechan

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

15. (70370) **DPW/Transportation** – Contract No. 19-208 for Milling, Resurfacing and Additional Improvements, Various County Roadways, Westchester County, New York. Advertise for bids.

H. Greechan

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

16. (70371) **DPW/Transportation** - Enter into an agreement with the Power Authority of the State of New York, also known as the New York Power Authority ("NYPA"), the terms of which govern any and all other agreements, known as customer Installation Commitments or Customer Project Commitments, with NYPA for the study, design and construction of Energy Efficiency and Clean Energy Projects at various County facilities, from 5/1/19 – 4/30/24, with the County having the sole option to renew the agreement for an additional five years.

H. Greechan

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

17. (70733) **DPW/Transportation** - Enter into Agreement No. DOTCAP01-19 with STV Incorporated, to provide the County with consulting services concerning the County's procurement of up to one hundred and eight (108) 40-foot, heavy-duty, low-floor, hybrid electric buses, for an amount of \$447,276.52, commencing upon execution and continue until the end of the Bus Procurement.

H. Greechan

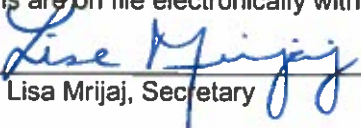
Mr. Jenkins moved the resolution, which was duly seconded and unanimously approved.

18. (70752) **Parks** – Amend an agreement with Zamperla, Inc., to which Zamperla agreed to provide and place the Disk O 24, Park Model ride at Playland Park, in order to authorize Zamperla to perform certain additional infrastructure work needed for the Ride, for a total cost for additional work of \$128,417.73, and Zamperla and the County agreeing to share the total cost for the Additional work by i) Zamperla incurring \$50,000 of the total cost and not being reimbursed by the County for such \$50,000, and ii) the County reimbursing Zamperla \$78,417.73 of the total cost upon execution of the First Amendment and Zamperla's submission of all necessary invoice(s) and supporting documentation and Zamperla not being reimbursed for the \$78,417.73 through the revenue share terms of the Agreement, thereby increasing the total new contract not to exceed amount for the County for the Agreement, plus the First Amendment, to \$383,417.73.

P. Tartaglia

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

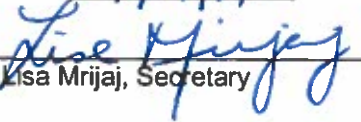
There being no further business, the Chair declared the meeting adjourned. All approved resolutions are on file electronically with the Board of Acquisition and Contract.



Lisa Mrijaj, Secretary

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

Dated 7/19/19



Lisa Mrijaj, Secretary