

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, AUGUST 29, 2019 @ 11:00 A.M.**

Deputy County Executive	Ken Jenkins
Chair, Board of Legislators	Benjamin Boykin
Budget Director	Larry Soule
Assistant Chief Deputy County Attorney	Tami Altschiller
Commissioner of Finance	AnnMarie Berg
Budget	Pat Haggerty
Board of Legislators	Greg Casciato
Board of Legislators	Jaevon Boxhill
Board of Legislators	Dennis Power
County Executive Office	Andrew Ferris
County Executive Office	Carl Pagano
County Attorney Office	Rachel Noe
Secretary BAC	Lisa Mrijaj
Assistant Secretary BAC	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 18 Onbase ID 71344 Resolution seeking authority to enter into an agreement with the United States Department of Housing and Urban Development, for a term from September 1, 2019 through August 31, 2020, in order to accept a grant in the amount of \$594,021.00, which will fund work and services involving the County's Continuum of Care and housing and services for victims of domestic violence."

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

Mr. Soule continued, "I move to add item 19 OnBase ID 71387 Resolution authorizing the County, to consent to the subcontract by Acme Bus Corp. to Phoenix Transportation Services Inc., for a term not exceeding the period from September 1, 2019 through August 31, 2020, the provision of, a.) A portion of the services Acme Bus Corp. was to provide under Contract Number E/T 533, and b.) All of the services Acme Bus Corp. was to provide under Contract Number E/T 537."

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

Acquisition & Contract. Minutes of the meeting 8/22/19 and the SEQR Review for agenda items.

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

L. Mrijaj

1. (71000) **CE/Women** - Enter into a grant agreement with New York Office of Victim Services to accept a grant in the amount of \$311,298 to participate in the Victim and Witness Assistance Grant Program to operate the Westchester County Family Justice Center from 10/1/19 – 9/30/22.

R. Schlaff

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

2. (70947) **Board of Elections – OVER BY ADMINISTRATION.** Request authority to amend a grant agreement with the State of New York to accept Voter Education/Poll Worker Training funding to educate individuals and poll workers on the proper use of new voting systems by increasing the amount by \$316,016.91 and extending the term of the agreement for an additional one-year term from 4/1/19 – 3/31/20.

Lafayette/Colety

3. (71044) **Board of Elections – OVER BY ADMINISTRATION.** Request authority to amend a grant agreement with the State of New York to accept New York State Voting Access for Individuals with Disabilities funding to improve access to polling places by increasing the amount by \$153,275.01 and extending the term of the agreement for an additional one-year term from 4/1/19 – 3/31/20.

Lafayette/Colety

4. (71167) **Board of Elections – WITHDRAWN BY DEPARTMENT.** Request authority to enter into an Agreement with Dominion Voting Systems Corporation for thirty (30) electronic plan B voting machines, firmware/software maintenance, support and warranty services through New York State Contract Award Number 22659, for a five-year term commencing on or about September 1, 2019, in an amount not to exceed \$325,100, payable in accordance with an approved budget and at the rates contained in NYSOGS Contract Award No. 22659.

Lafayette/Colety

5. (71022) **County Attorney** - Settle the lawsuit of Zachary Ganzarski v. Liberty Lines Transit, Inc. and John Irizarry by payment from the County of Westchester in the amount of \$70,000 to Zachary Ganzarski.

J.Nonna

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

6. (71047) **Planning** - Enter into any and all agreements to purchase and subsequently convey approximately 0.59+/- acres of real property located at 227 Elm Street in the City of Yonkers from the current owner of record for a total not to exceed amount of \$1,765,000 and to convey the property to Westhab Inc., its successors or assigns for \$1.00, and to accept and/or release any and all property rights in connection therewith, for the purpose of creating 63 affordable rental housing units, including a superintendent's unit, under the listed terms and conditions.

Drummond/Friedman

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

7. (71052) **Planning** - Enter into an agreement with the Mount Vernon Neighborhood Health Center, Inc. through the Community Development Block Program to provide partial funding in the amount of \$50,000 for the purchase of a nine passenger van with a side entry wheelchair lift that will be used to transport patients who are low-income residents of the Town of Greenburgh to and from the Greenburgh Health Center for medical appointments from 8/29/19 – 8/28/20.

N. Drummond

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

8. (71199) **Planning** – Enter into an agreement with the Village of Rye Brook, through the Community Development Block Grant Program, to provide partial funding in the amount of \$45,000 for the purchase of a handicap accessible 21 passenger bus that will include 16 fixed seats, two folding double seats, space for two wheelchairs plus a driver for the Village of Rye Brook, from 9/1/19 – 8/31/20.

N. Drummond

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

9. (71200) **Planning** – Enter into an agreement with the Town of Yorktown, through the Community Development Block Grant Program, to provide partial funding in the amount of \$44,000 for the purchase of a high headroom wagon/bus that will seat six adults and one wheelchair for the Yorktown Senior Nutrition Center from 9/1/19 – 8/31/20.

N. Drummond

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

10. (71329) **Planning** – Enter into an agreement with the Village/Town of Mount Kisco, through the Community Development Block Grant Program, in the not to exceed amount of \$150,000.00, for a Waterline & Storm Sewer Replacement Project on Woodland Street in the Village of Mount Kisco, from 9/1/19 – 10/31/20.

N. Drummond

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

11. (71024) **Social Services** - Renew an agreement with STRIVE International, Inc. to introduce and reinforce the STRIVE Core Service model, provide the County with a license to use the STRIVE Program and related materials as well as STRIVE's trademarks and logos for the period retroactive to 7/1/19 – 6/30/20 in an amount of \$53,500.

K. McGuire

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

12. (71137) **Social Services** – Amend a resolution that terminated existing Foster Care and Educational Provider Agreements and authorized the County to enter into agreements utilizing the New York State Revised Model Contract for the Purchase of Foster Care Services with licensed and approved voluntary child care agencies and educational providers for the provision of institutional/group Foster Care, Adoption Services and educational services effective on or about April 1, 2016 and continuing indefinitely until terminated by either party to provide an additional foster care agency National Mentor Healthcare, LLC, d/b/a Pennsylvania Mentor, to take effect upon execution and to extend until terminated by either party upon thirty (30) days prior written notice to the other the Agreements.

K. McGuire

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

13. (71014) **Health** - Enter into an agreement with Health Research Inc. to receive and administer a Grant for the Opioid Overdose Data to Action Program from 9/1/19 – 8/31/20 in an amount not-to-exceed \$172,000 and to defend and indemnify Health Research Inc. and the NYS Department of Health according to the following: "To the fullest extent permitted by law, Contractor shall indemnify, hold harmless and defend HRI, its agents and employees, the New York State Department of Health, and the People of the State of New York against all claims, damages, losses or expenses including but not limited to attorneys' fees arising out of or resulting from the performance of the agreement, provided any such claim, damage loss or expense arises out of, or in connection with, any act or omission by Contractor, or anyone directly or indirectly employed or contracted by Contractor, in the performance of services under this Agreement, and such acts or omissions (i) constitute negligence, willful misconduct, or fraud; (ii) are attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting there from; (iii) cause the breach of any confidentiality obligations set for herein; (iv) relate to any claim for compensation and payment by any employee or agent of Contractor; (v) result in intellectual property infringement or misappropriation by Contractor, its employees, agents, or subcontractors; or (vi) are violations of regulatory or statutory provisions of the New York State Labor Law, OSHA or other governing rule or applicable law. The obligation of the Contractor to indemnify any party under this paragraph shall not be limited in any manner by any limitation of the amount of insurance coverage or benefits including workers' compensation or other employee benefit acts provided by the Contractor. In all subcontracts entered into by the Contractor related to performance under this Agreement, the Contractor will include a provision requiring the subcontractor to provide the same indemnity and hold harmless to the indemnified parties specified in the paragraph."

S. Amler

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

14. (71009) **DPW/Transportation** - Enter into an agreement with the State of New York to accept a grant of approximately \$1,087,994 for a Capital Project at the Westchester County Airport and the County contributing a local share of approximately 5% of this Capital Project, which funding will come from the Airport Special Revenue Fund.

H. Greechan

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

15. (71010) **DPW/Transportation** – Enter into an Agreement #19-912 with the firm of Woodard & Curran Engineering P.A. P.C., Rye Brook, for engineering services for Manursing Lake Tide Gate Improvements, Playland Park, Rye, New York in the amount of \$74,900 and approval of the following subconsultants: Elm Electric, Inc., for Piping, Wiring, and Installation of Level Instruments, Westfield, Massachusetts; and Rodney Hunt Inc., for Visual Sluice Gate Inspection, Orange, Massachusetts from 9/1/19 – 12/31/22.

H. Greechan

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

16. (71011) **DPW/Transportation** – Amend Agreement No. 13-908 with Savin Engineers, P.C. to provide for engineering services in connection with Digester Rehabilitation, Peekskill Wastewater Treatment Plant, Peekskill, New York and to provide for engineering services in connection with the Replacement of Primary Sludge Pumps, Peekskill Wastewater Treatment Plant, Peekskill, New York in an amount of \$706,400 for the additional services increasing the total maximum fee to \$3,489,550; and approval of the following subconsultant: LynStaar Engineering, P.C., for Electrical Design Services, and extend the completion date of the Agreement to December 31, 2024.

H. Greechan

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

17. (71020) **DPW/Transportation** – Advertise Contract 19-521 for Roadway Resurfacing and Related Improvements, Main Street (C.R. 37), From Midland Avenue to 175 Feet West of Fairview Avenue, Winter Hill Road (C.R. 37), From Main Street to the Eastchester/Tuckahoe Line, and Main Street (C.R. 69-II), From White Plains Road to the Eastchester/Tuckahoe Line A Total Distance of 1.0 Miles, Village of Tuckahoe and Town of Eastchester New York.

H. Greechan

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

18. (71344) **Social Services** – Enter into an agreement with the United States Department of Housing and Urban Development, for a term from September 1, 2019 through August 31, 2020, in order to accept a grant in the amount of \$594,021.00, which will fund work and services involving the County's Continuum of Care and housing and services for victims of domestic violence.

K. McGuire

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

19. (71387) **Health** – Authority for the County, to consent to the subcontract by Acme Bus Corp. to Phoenix Transportation Services Inc., for a term not exceeding the period from September 1, 2019 through August 31, 2020, the provision of, a.) a portion of the services Acme Bus Corp. was to provide under Contract Number E/T 533, and b.) all of the services Acme Bus Corp. was to provide under Contract Number E/T 537.

S. Amler

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 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 8/30/19



Lisa Mrijaj, Secretary