

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, JANUARY 7, 2021 @ 11:00 A.M.**

Deputy County Executive
Chair, Board of Legislators
Deputy Budget Director
Commissioner of Finance
Associate Chief Deputy County Attorney
Board of Legislators
Board of Legislators
Secretary BAC
Assistant Secretary

Ken Jenkins
Benjamin Boykin
Gideon Grande
AnnMarie Berg
Tami Altschiller
Greg Casciato
Mary Beth Gose
Lisa Mrijaj
Valerie Rodriguez

Mr. Jenkins presided.

Mr. Jenkins said, "For the record, this meeting is being conducted in accordance with Governor Cuomo's Executive Order 202.1 as extended."

Mr. Jenkins said, "I understand that the Budget Director wishes to speak regarding three emergency declarations."

Mr. Grande said, "The Members of the Board of Acquisition and Contract received a memorandum from the Commissioner of Public Works and Transportation declaring an emergency situation that cannot await competitive bidding at the Department of Emergency Services.

The second most highly used fire training center in New York State, the Department of Emergency Services' Fire Training Center at the Valhalla Campus, is used by professional and volunteer firefighters throughout Westchester County. The facility maintains an active training schedule and is essential to ensuring that Westchester's firefighters have the mandatory training requirements.

The fireproof ceiling tiles in a class "A" burn pod at the Fire Training Center, which is capable of handling behavior burn training necessary to complete the NYS OFPC Fire Fighter I A course, have fallen off, exposing concrete spalling. The Department of Emergency Services has discontinued training in the burn pod because of concerns that further live burn training may further damage the building's structural integrity and fear that additional heat and water exposure may result in more concrete falling and potentially injuring trainees. The Department of Public Works and Transportation ("DPWT") concurs that protective ceiling tile is needed in the fallen tile area in addition to other ceilings within the structure in order to provide critical lifesaving training.

Having exhausted all other avenues of remediation, DPWT has declared an emergency situation and cannot await competitive bidding. DPWT, following its standard emergency contract protocols, selected Mace Contracting Corp., 35 Portman Road, New Rochelle, New York 10801-2104, to perform Contract #21-201, Emergency Protective Ceiling Tile, Department of Emergency Services, Fire Training Center, Valhalla Campus, Valhalla, New York.

As the full cost of the work cannot be ascertained until it has begun, DPWT will submit a resolution to your Honorable Board at a later date, requesting approval of Contract #21-201 with Mace Contracting Corp.”

“In addition, the Members of the Board of Acquisition and Contract received a second memorandum from the Commissioner of Public Works and Transportation declaring an emergency situation that cannot await competitive bidding.

On December 26, 2020 the Department of Public Works and Transportation (“DPWT”) was notified that boilers had failed at the Vernon Plaza Family Center, a homeless housing and shelter facility owned by the County of Westchester (“County”) and operated through an agreement with Westhab Inc.

Vernon Plaza is a family shelter, and although all the residents were re-housed when the boilers stopped working, there is a need for the shelter to reopen soon because the Department of Social Services is expecting increasing need in the next two weeks due to the Covid-19 pandemic combined with the cold winter weather. DPWT has investigated the boilers and determined that the units are beyond repair. In order to re-open the facility DPWT has determined that temporary boilers are required to heat the building and make the Vernon Plaza Family Center usable during the winter. The building is currently being monitored for security and temperature changes by Westhab.

In order to provide heat to the Vernon Plaza Family Center, DPWT has declared an emergency situation. As an emergency, this situation cannot await competitive bidding. DPWT, following its standard emergency contract protocols, selected the firm of Johnson Controls, Inc., 8 Skyline Drive, Hawthorne, New York 10532 to perform Contract #21-200 Emergency Temporary Boilers, Vernon Plaza Family Center, Mount Vernon, New York.

As the full cost of the temporary boilers cannot be ascertained until the contractor has an opportunity to plan the work and determine the best method of installation, DPWT will submit a resolution to your Honorable Board at a later date, requesting approval of Contract #21-200. In addition, DPWT will proceed with a permanent boiler replacement project separate and apart from the emergency situation.”

“In addition, the Members of the Board of Acquisition and Contract received a second memorandum from the Commissioner of Environmental Facilities declaring an emergency situation that cannot await competitive bidding.

The Ossining Water Resource Recovery Facility (WRRF) is sited on 4.0 acres in the Village of Ossining along the Hudson River next to Sing-Sing Prison. The facility treats the wastewater from the Towns of Mount Pleasant and Ossining and the Villages of Briarcliff Manor, Croton-on-Hudson, and Ossining. The treatment plant is permitted by the State of New York to treat an average daily flow of 7.0 million gallons per day (mgd) of wastewater.

The main source of electrical power to the plant is supplied by twin overhead medium voltage cables attached to a wooden utility pole adjacent to the plant. One of the cables has faulted in the past due to water in the insulation. If both cables were to fail the plant would have to be powered by generators for an extended period of time and if they were to also fail, would terminate the treatment of wastewater violating the permit. A project was started in order to design a repair/replacement of these cables. CSA Engineering Services, the County’s consultant for this project, prepared some feasibility studies for the replacement of the cables and various options were evaluated. The design option to bring the feeders underground was eliminated due to need for easements and agreements with other utilities. A major concern about the overhead cable replacement design was the single point of failure of the wooden pole now being replaced with a steel pole. Should that single wooden pole fail, both circuits would likely be out of service. Another recent cable failure, due to tree intrusion, has caused DEF to direct the consultant to immediately complete design of a new steel utility pole and replacement of the overhead electrical cables. The steel pole design offers a more robust installation than the wood pole and may eliminate some of the guying.

Due to the recent cable failure and the high probability of a total power failure at the Ossining WRRF, failure to immediately undertake replacing the overhead power feed may result in the shutdown of the plant and therefore being out of compliance with our permit requirements. This work will benefit the public as it enables the County to conduct its basic mission of providing proper sanitary sewage collection, thereby promoting public health policies and laws. In order to ensure proper operation of the plant and to protect the health and safety of the public and employees, the Department of Environmental Facilities declared is declaring an emergency situation. We will be working with CSA Engineering Services to complete the construction documents in order to immediately enter into contract with a Contractor which specializes in electrical distribution and conveying systems to replace the double feeder supplying the plant and replace the existing wooden utility pole with a new steel pole. DEF will follow its standard emergency contracting and procurement protocols. The Department will submit a resolution to your Honorable Board at a later date requesting approval of a construction contract to address the issues as described above.”

Mr. Jenkins said, "I direct the Secretary of the Board of Acquisition and Contract to include the memos from the Commissioner of Public Works and Transportation and the memo from the Commissioner of Environmental Facilities as part of the minutes of today's meeting."

Mr. Jenkins said, "The meeting is adjourned, Happy New Year Everyone."

Acquisition & Contract. Minutes of the meeting 12/23/20 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. (81674) **CE/Office for Women – 1)** amend an existing agreement with Hudson Valley Justice Center, Inc. ("HVJC"), for which HVJC was to provide legal assistance to poor and low-income Westchester County immigrant residents as well as conduct community outreach events and legal education seminars in Mount Vernon, for a term commencing on 1/1/20 – 12/31/20, for a not to exceed amount of \$130,009, in order to increase the amount by \$6,207, to a new total amount not to exceed \$136,216, is hereby rescinded; and **2)** enter into a second amendment for which HVJC was to provide legal assistance to poor and low-income Westchester County immigrant residents, conduct community outreach events and legal education seminars, and provide legal services necessary to assist undocumented immigrants facing rental arrears in Mount Vernon, for a term commencing on 1/1/20 – 12/31/20, for a total not to exceed amount of \$229,867, in order to increase the amount by \$6,207, to a new total not to exceed amount of \$236,074.

R. Schlaff

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

2. (81326) **Board of Elections – Contract No. BOE 20M(Z-2) and BOE 20M(Z-4)** for 2021 and 2022 Primary, Special, Early And General Election Moving Services for Voting Machines, E-poll books and Printers, Cabinets, PPE, Supply Bags, Privacy Booth and Peripheral Markers between the County Warehouse and Various Polling Place Locations in Westchester County. Awarded to Low Bidder, Ron's Trucking Corporation, Yonkers, in the amount of \$343,380. (3 bids)

LaFayette/Colety

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

3. (81452) **Board of Elections – Contract No. BOE 20M(Z-5)** for 2021 and 2022 Primary, Special and General Election Moving Services for Voting Machines, E-poll books and Printers, Cabinets, PPE, Supply Bags, Privacy Booth and Peripheral Markers between the County Warehouse and Various Polling Place Locations in Westchester County. Awarded to Low Bidder, Smart Moving & Storage Inc., Yonkers, in the amount of \$219,800. (3 bids)

LaFayette/Colety

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

4. (81535) **Board of Elections – Contract No. BOE 20M(Z-1), BOE 20M(Z-3) and BOE 20M(Z-6)** for 2021 and 2022 Primary, Special, Early And General Election Moving Services for Voting Machines, E-poll books and Printers, Cabinets, PPE, Supply Bags, Privacy Booth and Peripheral Markers between the County Warehouse and Various Polling Place Locations in Westchester County, Awarded to Low Bidder, East Side Movers Inc., Mount Vernon, in the amount of \$829,750. (3 bids)

LaFayette/Colety

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

5. (81685) **Board of Elections – Contract No. BOE 20H(Z-1), BOE 20 H(Z-4) and BOE H(Z-5)** for 2021 and 2022 Primary, Special, Early and General Election Moving Services and Storage of Handicapped Accessibility Equipment between the County Warehouse and Various Polling Place Locations in Westchester County. Awarded to Second Low Bidder, Ron's Trucking Corporation, Yonkers, for Zones 1 and 4 and Zone 5, in the amount of \$336,999.40. (3 bids)

LaFayette/Colety

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

6. (81860) **Information Technology – WITHDRAWN BY DEPARTMENT.** Amend Agreement IT-1660 with Moving Pictures, LLC, for the provision of crew and equipment setup necessary for live streaming of the County Executive's press events, for a term commencing on 5/31/20 – 12/31/20, for an amount of \$95,000, payable at the rate of \$1,200 per live stream; by **1)** extended the term through to 12/31/21; **2)** added a new fee schedule for certain "special" events, as set forth in Exhibit "A"; and **3)** increased the amount by \$100,000, for a new amount not to exceed \$195,000.

M. Beirne

7. (81663) **Planning** - Amend a prior resolution with Peekskill Rotary Club Foundation, in order to change the expiration date from 12/15/20 to 12/28/20, as additional time is needed to provide additional services to households that have been identified as experiencing food insecurities impacted by COVID-19 under the 2020 Community Partnership Program in Westchester County.

N. Drummond

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

8. (81666) **Planning** – Enter into an agreement with the Ossining Children’s Center, through the Community Development Block Grant Program, in the amount of \$239,000, with the grant to cover expenses that will include scholarships for fifty-five (55) students from low/moderate income households, partial salary for the Center’s cook and social worker, as well as COVID-19 related items including nursing staff salary, cleaning the facility and supplies, for a period beginning 1/1/21 – 12/31/21.

N. Drummond

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

9. (81734) **College** – Enter into an agreement with Triad Group, LLC, for the provision of on the job injury claim administration and case management services, for the base period from 1/1/21 – 12/31/23, with the College having the sole option to renew the agreement for three additional years. For these services, inclusive of the reimbursement of allocated loss adjustment expenses (ALAE), the base period amount is not to exceed \$675,000, under the listed terms and conditions.

B. Miles

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

10. (81738) **College** – Amend an agreement with ADP, LLP for payroll services, tax services and W-2 services for Westchester Community College, for the period of 1/1/20 – 12/31/24, in order to include the right of assignment by ADP to any of its affiliates, with the listed language.

B. Miles

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

11. (81868) **College – 1)** Authority to terminate the existing agreement with Dr. Belinda S. Miles, effective 12/31/20; and **2)** enter into a new agreement for her employment as President of Westchester Community College with the new agreement to commence from 1/1/21 – 12/31/25. Dr. Miles will receive a salary of \$275,084 for the first year of the agreement, which will increase by one percent (1%) annually during years two (2) through five (5) of the agreement, under the listed terms and conditions.

J. Nonna

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

12. (81417) **Corrections** - Enter into an agreement with St. John's Riverside Hospital to provide a comprehensive chemical dependence treatment program to male and female at the Westchester County correctional facility, for an amount not to exceed \$757,620, for a term commencing 1/1/21 – 12/31/21.

J. Spano

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

13. (81418) **Corrections** - Enter into an agreement with St. John's Riverside Hospital to operate a violence prevention program known as Resolve to Stop the Violence Program, for selected inmates in the custody of the Westchester County Department of Correction, from 1/1/21 – 12/31/21, for an aggregate amount not to exceed \$519,225. Approved Westchester Community Opportunity Program, Inc., a/k/a WestCOP, as a subcontractor.

J. Spano

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

14. (81491) **Probation** - Enter into an agreement with the YWCA of White Plains and Central Westchester, Inc., for the provision of a supervised visitation program related to the court ordered supervised visitation of children, for the period of 1/1/21 – 12/31/21, at a cost not to exceed \$244,829.

R. Pozzi

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

15. (81492) **Probation** - Enter into an agreement with Westchester Jewish Community Services, Hartsdale, for the provision of pre-dispositional risk assessment and post-dispositional treatment of Family Court Act, Article 3, juvenile delinquency sex offenders and pre and post-sentence risk assessment and treatment for adolescent sex offenders ages 14 through 17 appearing before the criminal court as juvenile offenders, youthful offenders or young adults for the period 1/1/21 – 12/31/21, at a cost not to exceed \$114,137.

R. Pozzi

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

16. (81493) **Probation** - Enter into an agreement with the Mental Health Association of Westchester County, Inc. having an office and place of business at 2269 Saw Mill River Road, Building 1A, Elmsford, NY 10523 ("MHA") to provide Sex Offender Treatment Program, for the period from 1/1/21 – 12/31/21 and in consideration for such services, the County shall pay the MHA an amount not to exceed \$159,135.

R. Pozzi

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

17. (81688) **Social Services** – Amend an agreement with NJB Security Services, Inc., to provide security escort services for the Department's child protective personnel performing home visits in the White Plains, Mt. Vernon and Yonkers coverage areas, by extending the term for the period of 1/1/21 – 12/31/21, and for such services rendered during the term, County shall pay NJB a total aggregate amount not to exceed \$311,875, under the listed terms and conditions.

K. McGuire

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

18. (75617) **DPW/Transportation** – Rescinded the Resolution approved on 3/19/20, which authorized the County to approve Change Order No. 1 in the amount of \$2,100,000 with Yonkers Contracting Company, Inc., for Contract No. 09-514, for Biological Nutrient Removal Facilities, New Rochelle Wastewater Treatment Plant, New Rochelle, New York.

H. Greechan

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.

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

Signed: *Lisa Mrijaj*, Secretary

Dated: 1/7/2021

Memorandum
Department of Public Works and Transportation

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E. *HJG*
Commissioner of Public Works and Transportation

DATE: January 6, 2021

SUBJECT: Declaration of Emergency Situation
Department of Emergency Services
Fire Training Center
Valhalla Campus, Valhalla, New York

The second most highly used fire training center in New York State, the Department of Emergency Services' Fire Training Center at the Valhalla Campus, is used by professional and volunteer firefighters throughout Westchester County. The facility maintains an active training schedule and is essential to ensuring that Westchester's firefighters have the mandatory training requirements.

The fireproof ceiling tiles in a class "A" burn pod at the Fire Training Center, which is capable of handling behavior burn training necessary to complete the NYS OFPC Fire Fighter I A course, have fallen off, exposing concrete spalling. The Department of Emergency Services has discontinued training in the burn pod because of concerns that further live burn training may further damage the building's structural integrity and fear that additional heat and water exposure may result in more concrete falling and potentially injuring trainees. The Department of Public Works and Transportation ("DPWT") concurs that protective ceiling tile is needed in the fallen tile area in addition to other ceilings within the structure in order to provide critical lifesaving training.

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As the full cost of the work cannot be ascertained until it has begun, DPWT will submit a resolution to your Honorable Board at a later date, requesting approval of Contract #21-201 with Mace Contracting Corp.



Memorandum
Department of Public Works and Transportation

TO: Honorable Members of the Board of Acquisition and Contract
FROM: Hugh J. Greechan, Jr., P.E. *HJG*
Commissioner of Public Works and Transportation
DATE: January 6, 2021
SUBJECT: Declaration of Emergency Situation
Vernon Plaza Family Center
17 South Second Avenue
Mount Vernon, New York

On December 26, 2020 the Department of Public Works and Transportation ("DPWT") was notified that boilers had failed at the Vernon Plaza Family Center, a homeless housing and shelter facility owned by the County of Westchester ("County") and operated through an agreement with Westhab Inc.

Vernon Plaza is a family shelter, and although all the residents were re-housed when the boilers stopped working, there is a need for the shelter to reopen soon because the Department of Social Services is expecting increasing need in the next two weeks due to the Covid-19 pandemic combined with the cold winter weather. DPWT has investigated the boilers and determined that the units are beyond repair. In order to re-open the facility DPWT has determined that temporary boilers are required to heat the building and make the Vernon Plaza Family Center usable during the winter. The building is currently being monitored for security and temperature changes by Westhab.

In order to provide heat to the Vernon Plaza Family Center, DPWT has declared an emergency situation. As an emergency, this situation cannot await competitive bidding. DPWT, following its standard emergency contract protocols, selected the firm of Johnson Controls, Inc., 8 Skyline Drive, Hawthorne, New York 10532 to perform Contract #21-200 Emergency Temporary Boilers, Vernon Plaza Family Center, Mount Vernon, New York.

As the full cost of the temporary boilers cannot be ascertained until the contractor has an opportunity to plan the work and determine the best method of installation, DPWT will submit a resolution to your Honorable Board at a later date, requesting approval of Contract #21-200.

In addition, DPWT will proceed with a permanent boiler replacement project separate and apart from the emergency situation.



Memorandum
Department of Environmental Facilities

DRAFT

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E. *VFK*
Commissioner of Environmental Facilities

DATE: January 6, 2021

SUBJECT: Declaration of Emergency Situation – Main Power Feed Replacement
Ossining Water Resource Recovery Facility
75 Westerly Road, Ossining, NY

The Ossining Water Resource Recovery Facility (WRRF) is sited on 4.0 acres in the Village of Ossining along the Hudson River next to Sing-Sing Prison. The facility treats the wastewater from the Towns of Mount Pleasant and Ossining and the Villages of Briarcliff Manor, Croton-on-Hudson, and Ossining. The treatment plant is permitted by the State of New York to treat an average daily flow of 7.0 million gallons per day (mgd) of wastewater.

The main source of electrical power to the plant is supplied by twin overhead medium voltage cables attached to a wooden utility pole adjacent to the plant. One of the cables has faulted in the past due to water in the insulation. If both cables were to fail, the plant would have to be powered by generators for an extended period of time and if they were to also fail, would terminate the treatment of wastewater violating the permit. A project was started in order to design a repair/replacement of these cables. CSA Engineering Services, the County's consultant for this project, prepared some feasibility studies for the replacement of the cables and various options were evaluated. The design option to bring the feeders underground was eliminated due to need for easements and agreements with other utilities. A major concern about the overhead cable replacement design was the single point of failure of the wooden pole now being replaced with a steel pole. Should that single wooden pole fail, both circuits would likely be out of service. Another recent cable failure, due to tree intrusion, has caused the Department of Environmental Facilities (DEF) to direct the consultant to immediately complete design of a new steel utility pole and replacement of the overhead electrical cables. The steel pole design offers a more robust installation than the wood pole and may eliminate some of the guying.

Due to the recent cable failure and the high probability of a total power failure at the Ossining WRRF, failure to immediately undertake replacing the overhead power feed may result in the shutdown of the plant and therefore being out of compliance with our permit requirements. This work will benefit the public as it enables the County to conduct its basic mission of providing proper sanitary sewage collection, thereby promoting public health policies and laws. In order to

ensure proper operation of the plant and to protect the health and safety of the public and employees, DEF declared an emergency situation. We will be working with CSA Engineering Services to complete the construction documents in order to immediately enter into contract with a Contractor which specializes in electrical distribution and conveying systems to replace the double feeder supplying the plant and replace the existing wooden utility pole with a new steel pole. DEF will follow the County's standard emergency contracting and procurement protocols. We will submit a resolution to your Honorable Board at a later date requesting approval of a construction contract to address the issues as described above.