

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, APRIL 22, 2021 @ 11:00 A.M.**

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

Ken Jenkins
Benjamin Boykin
Larry Soule
AnnMarie Berg
Tami Altschiller
Greg Casciato
MaryBeth Gose
Lisa Hochman
Lisa Mrijaj
Joan Cocciardi

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 continued, "I understand that the Budget Director wishes to make three motions."

Mr. Soule said, "I move to add item 39 (Onbase ID 84428) a Resolution authorizing the County of Westchester to enter into an agreement with Tetra Tech, Inc. for the provision of consulting services in connection with updating the County's Multi-Jurisdictional Multi-Hazard Mitigation Plan for a term commencing upon full execution and terminating on April 1, 2022 for an amount not to exceed \$171,958.00."

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

Mr. Soule continued, "I move to add item 40 (Onbase ID 84464) a Resolution authorizing the County of Westchester to enter into a permit agreement with the City School District of New Rochelle for the use of New Rochelle High School to conduct a Police Officer Examination on May 15, 2021 and May 16, 2021, in an amount not to exceed \$12,000, payable pursuant to an approved rate schedule and the County shall defend, indemnify and hold harmless the District."

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

Mr. Soule said, “I move to add item 41 (Onbase ID 84467) a Resolution seeking authority for the County of Westchester to enter into a Memorandum of Understanding with Family Services of Westchester, Inc. in order to serve as Family Service’s programmatic partner in connection with its application for a Federal Second Chance Act Community-Based Reentry Grant, at no cost to the County, commencing upon full execution of the MOU and having a term of four (4) years unless earlier terminated by the County upon thirty (30) days written notice.”

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

Acquisition & Contract. Minutes of the meeting 4/15/21 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. (84295) **County Executive** - Pursuant to Section 3(a) (xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Lynn A. Knight.

G. Latimer

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

2. (84294) **County Executive** - Enter into an agreement with Lynn A. Knight to develop and submit a grant application to the United States Economic Development Administration to partially fund a food incubator in Peekskill, for a term from 1/1/21 – 12/31/21, for an amount not to exceed \$50,000, payable at the rate of \$200 per hour.

G. Latimer

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

3. (84206) **Board of Legislators** - Enter into an agreement with Girls Inc. of Westchester County, pursuant to which Girls Inc. will provide leadership and educational enrichment programs for an amount not to exceed \$51,750, for the period 1/1/21 – 12/31/21 payable half upon contract execution, and half following receipt by the County of a performance measurement report no later than 11/1/21.

B. Boykin

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

4. (83916) **County Attorney** - Retroactively renew an agreement with the law firm of Bank, Sheer, Seymour & Hashmall, to provide legal services and representation to the County, in an “of counsel” capacity to the County Attorney, as needed, in connection with civil litigation in which the County is or may become involved pursuant to the County’s liability and casualty self-insurance program, for a term from 1/1/18 – 12/31/20, with the County having the option to extend the term of the agreement for up to one (1) additional one-year period and extend the termination date to 12/31/21; and that for the year 2021 the total aggregate amount to be expended under the renewal term of the foregoing agreement shall not exceed \$200,000, and the costs incurred under the agreement shall be charged against the County’s Liability and Casualty Reserve Fund.

J. Nonna

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

5. (84391) **County Attorney/DPW/Transportation** – Authority to **1)** rescind the Resolution approved on 8/27/20 to approve Change Order No. 2 to Contract No. 11-503-REV., for the Rehabilitation of the Fulton Avenue Bridge over the Hutchinson River, City of Mount Vernon and Village of Pelham Manor, New York, in the amount of \$695,745.60, and **2)** authorize the County to enter into an agreement with E.E. Cruz & Company, Inc. to settle certain claims of E.E. Cruz & Company, Inc. for additional compensation under Contract No. 11-503-REV., in the amount of \$850,000 to the Contractor as full and final satisfaction of the Contractor’s Claims of which \$154,254.40 will be contributed to the County by its engineer for the Fulton Avenue Bridge project, Henningson, Durham & Richardson Architecture and Engineering in association with HDR Engineering, Inc., and that the County and the Contractor shall release each other from all claims associated with the Contractor’s Claims, and the County shall release and retract the disincentive assessment made in the Commissioner of Public Works and Transportation’s Determination, dated 8/27/20, identified as Item No. 698,93940015.

Nonna/Greechan

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

6. (84392) **County Attorney** – Enter into an agreement with Henningson, Durham & Richardson Architecture and Engineering P.C. in association with HDR Engineering, Inc. (“HDR”) to settle the claim of the County for defense and indemnification against HDR under Agreement No. 10-910, dated 5/14/20 between the County and HDR, as amended by the first amendment dated 4/30/14 and the second amendment, dated 7/13/17, in connection with the claims of E.E. Cruz & Company, Inc., for additional compensation in the total amount of \$1,774,719 under Contract No. 11-503-REV., for the Rehabilitation of the Fulton Avenue Bridge over the Hutchinson River, City of Mount Vernon and Village of Pelham Manor, New York, with respect to Contract Item Nos. 589.01 (Removal of Existing Steel) and 800.23 and 800.34 (FB-Interferences) (collectively, the “Contractor’s Claims”), by HDR paying the County the total sum of \$154,254.40 as contribution towards a proposed \$850,000 settlement between the County and Contractor for the Contractor’s Claims.

J. Nonna

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

7. (83907) **Planning** - Enter into an agreement with the Town of Cortlandt, through the Community Development Block Grant Program, in the amount of \$250,000, to provide funding for the construction of new sidewalks on Broadway from 8th to 11th Streets in the Town of Cortlandt, for a period beginning 5/1/21 – 11/30/22.

N. Drummond

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

8. (83910) **Planning** - Amend the agreement with the Town of Bedford to provide partial funding for the Babbitt Road Improvement project from Buxton Road to North Street in the Town, in order to change the contract period from 6/18/20 – 6/17/21 to 11/1/20 – 10/31/21.

N. Drummond

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

9. (83915) **Planning** - Further amend a resolution approved on 7/2/20, as amended by a resolution approved on 9/24/20 to enter into an agreement with Lazz Development Co., LLC, to supplement the cost of the rehabilitation of the building located at 29-34 Louis Court in the Village of Rye Brook, in order to change the name of the developer to Grant Street Senior Housing LP and to change the contract expiration date from 7/14/21 to 3/31/22.

N. Drummond

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

10. (83788) **Senior Programs** - Renew agreements with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services and Family Services of Westchester, Inc. to provide Homemaker/Personal Care services for the elderly under Title III-B of the Older Americans Act, in order to renew for the period commencing from 1/1/21 – 12/31/21, payable at the agreed-upon unit costs for actual services provided, for an amount not to exceed \$75,664.

M. Carpenter

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

11. (83790) **Senior Programs** - Enter into an agreement with YWCA White Plains & Central Westchester for its Encore Plus Program (“YWCA”) to administer breast cancer screening and counseling programs and evidenced-based health and wellness programs under the Community Services for the Elderly Program, for an aggregate amount not to exceed \$35,000 in State funds, for the program period commencing 4/1/21 - 3/31/22, and that the YWCA is required to contribute an amount not to exceed \$11,667 in matching funds to the programs.

M. Carpenter

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

12. (83791) **Senior Programs** - Amend an agreement with the Volunteer Service Bureau of Westchester, Inc. d/b/a Volunteer New York! to provide various support services for the elderly under the Community Services for the Elderly Program, in order to renew the agreement in an amount not to exceed \$80,498 in State funds, for the program period commencing 4/1/21 – 3/31/22, for which VNY is required to contribute an amount not to exceed \$26,833 in matching funds to the programs.

M. Carpenter

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

13. (83793) **Senior Programs** - Amend its agreement with the Family Service Society of Yonkers d/b/a JCY-Westchester Community Partners to provide Inter-generational Volunteer Management Program services under the Community Services for the Elderly Program, in order to extend the term of the agreement for the program period commencing 4/1/21 - 3/31/22, with State funding for the second option term for an aggregate amount not to exceed \$20,615, comprised of \$20,000 in State funds and \$615 in County tax dollars.

M. Carpenter

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

14. (83794) **Senior Programs** - Enter into agreements with two (2) agencies listed in Schedule "A", to provide social adult day services to persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations under the Expanded In-Home Services for the Elderly Program, for the period commencing on 4/1/21 – 3/31/22, in an aggregate amount not to exceed \$215,782, comprised of \$161,836 in State funds and \$53,946 in County tax dollars, under the listed terms and conditions.

M. Carpenter

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

15. (83795) **Senior Programs** - Enter into agreements with the agencies listed in Schedule "A" to provide consumer directed in-home services, and homemaker and housekeeper services to frail, homebound elderly Westchester County residents under the Expanded In-Home Services for the Elderly Program, commencing on 4/1/21 – 3/31/22, for an aggregate amount not to exceed \$1,994,290, comprised of \$1,495,717 in State funds and \$498,573 in County tax dollars, payable pursuant to their respective Medicaid rates approved by the State Department of Health, set forth in Schedule "A".

M. Carpenter

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

16. (83796) **Senior Programs** - Enter into an agreement with Westchester Jewish Community Services, Inc. ("WJCS"), for the purpose of providing In-Home Contact and Support services to persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations in accordance with the Expanded In-Home Services for the Elderly Program, in an amount not to exceed \$96,601 in State funding, for the program period commencing 4/1/21 – 3/31/22, for which WJCS is required to contribute an amount not to exceed \$5,084 in matching funds.

M. Carpenter

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

17. (83822) **Senior Programs** - Enter into agreements with the agencies listed in Schedule "A", to provide homemaker services to frail, homebound elderly County residents under the Unmet Need Program, with each agreement commencing 4/1/21 – 3/31/22, for an aggregate amount not to exceed \$501,823 in State funds, payable pursuant to their respective Medicaid rates approved by the State Department of Health.

M. Carpenter

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

18. (84233) **Health** - Enter into a third contract amendment with the New York State Department of Health to extend the contract period from 10/1/20 – 9/30/22 and accept additional funding in the amount not to exceed \$600,000, for a revised total amount not to exceed \$1,843,000, for the Pre Exposure Prophylaxis Initiative Grant, under the listed terms and conditions.

S. Amler

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

19. (84072) **College** – Contract No. WCC-21-921 for Physical Education Building Infrastructure Improvements, Westchester Community College, Valhalla, New York. Advertise for bids.

B. Miles

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

20. (84073) **College** – Contract No. WCC-21-920 for Site Improvements Phase II, Westchester Community College, Valhalla, New York. Advertise for bids.

B. Miles

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

21. (84281) **College** - Enter into an agreement with the Yonkers Public Schools, acting by and through its Board of Education to provide students at Gorton High School, Riverside High School, Saunders Trades & Technical High School and Roosevelt High School / Early College Studies with opportunities to take courses offered for college credit, for the period 9/1/20 – 8/31/21, whereby the College shall be paid an amount not to exceed \$301,536.52.

B. Miles

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

22. (83911) **District Attorney** - Enter into an agreement with the New York State Division of Criminal Justice Services to accept a grant in the amount of \$50,000 in Federal funds to operate the STOP Violence Against Women Formula Grant Program, in order to provide various support services to victims of domestic violence, stalking and sexual assault, for the period from 1/1/21 – 12/31/21.

M. Rocah

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

23. (83696) **Probation** - Amend an agreement with Satellite Tracking Of People, LLC, (“STOP”) pursuant to which STOP provides electronic monitoring services used in the supervision and tracking of individuals under the supervision of the Department of Probation, for a term commencing on 3/1/20 – 2/28/21, in order for the County to renew the agreement for one year, commencing on 3/1/21 - 2/28/22 and increasing the amount by \$73,000, for a total amount not to exceed \$146,000, to cover the renewal term.

R. Pozzi

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

24. (83705) **Probation** - Amend the agreement with Louis Conte d/b/a Premier Metropolitan Polygraph, for the County to exercise the third of the four (4) successive one-year renewal options, to provide polygraph services, for a term commencing on 1/1/21 – 12/31/21, for a not to exceed amount of \$71,613, for a total aggregate amount not to exceed \$274,839.

R. Pozzi

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

25. (83873) **Parks/Social Services** – Enter into an agreement with Westchester Parks Foundation, Inc., 450 Saw Mill River Road, Ardsley, to provide for the operation and management of Camp Morty, a day camp experience for Westchester’s children between the ages of 8 and 15 under the care of the Department of Social Services, located at Tibbetts Brook Park, Yonkers, commencing 5/1/21 – 12/31/21 and the funding for the operation/management of Camp Morty will be provided through the Westchester County Department of Social Services, with the County to pay \$480,000 to Westchester Parks Foundation, Inc. for this purpose.

O’Connor/McGuire

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

26. (83880) **Parks** – Contract No. PRC-1296 for Pavement Sweeping and Litter Removal Services, Playland Park, Rye, New York. Awarded to Sole Bidder, Champion Maintenance Contractors, Inc., Rye, in the amount of \$495,500. (1 bid)

K. O’Connor

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

27. (84117) **DPW/Transportation** – Enter into Grant Agreement NY-2021-007-00 with the Federal Transit Administration for a grant totaling \$15,148,750 (Federal \$12,119,000 / 80% and Local \$3,029,750 / 20%) to be used for the purchase of hybrid 40-foot buses, from 6/1/20 – 1/31/23.
 H. Greechan
Mr. Jenkins moved the resolution, which was duly seconded and unanimously approved.
28. (84118) **DPW/Transportation** – Enter into Grant Agreement NY-2021-008-00 with the Federal Transit Administration for a grant totaling \$24,656,250 (Federal \$19,725,000 / 80% and Local \$4,931,250 / 20%) to be used for the purchase of hybrid 40-foot buses, from 6/1/20 – 1/31/23.
 H. Greechan
Mr. Jenkins moved the resolution, which was duly seconded and unanimously approved.
29. (83785) **DPW/Transportation** – Authority to **1)** renew Contract No. 18-200 with Open Systems Metro NY Inc., to provide Countywide Maintenance Service for Open Protocol Fire Alarm Systems, Various Locations, Westchester County, New York, by extending the termination date of the agreement from 6/31/21 – 6/30/23; and **2)** increase the amount by \$333,400, to a new amount not to exceed \$833,500.
 H. Greechan
Mr. Jenkins moved the resolution, which was duly seconded and unanimously approved.
30. (83864) **DPW/Transportation** – Amend Short Form Contract No. 20-017 with Ramos & V Tree Services Inc., for the provision of all labor, material and equipment necessary for tree removal and tree trimming services at various locations along County Roads, Westchester County, New York, by extending the term from 6/21/21 – 6/21/22.
 H. Greechan
Mr. Jenkins moved the resolution, which was duly seconded and unanimously approved.
31. (84013) **DPW/Transportation/Planning/Energy Conservation** – Enter into Agreement No. 21-911 with the Power Authority of the State of New York, also known as the New York Power Authority (“NYPA”), for which NYPA will provide the County with a Master Plan for Transit Bus Electrification; with the work to be completed at no cost to the County and will be funded directly by NYPA and the New York State Energy Research and Development Authority, for an estimated amount not to exceed \$200,000, and that NYPA shall not commence any phase of the work for the project without prior written approval of the Commissioner of Public Works and Transportation.
 Greechan/Drummond/McCartt
Mr. Jenkins moved the resolution, which was duly seconded and unanimously approved.

32. (84195) **DPW/Transportation** – Amend Agreement No. 16-918 with LiRo Engineers, Inc., for engineering services in connection with Playland Rehabilitation and Upgrades, Rye, New York, to provide additional design, construction administration, and program management services associated with this project that is outside the scope of work included in the existing agreement, for a proposal fee of \$8,228,971, increasing the total maximum fee to \$24,057,657. Approved BOLD, LLC, New York City, as a subconsultant.

H. Greechan

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

33. (84196) **DPW/Transportation** – Contract No. 17-505 for Infrastructure Improvements, V.E. Macy Park, Village of Ardsley, New York. Advertise for bids.

H. Greechan

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

34. (84197) **DPW/Transportation** – Contract No. 20-527 for Humidity Control, Microbiology Division, Department of Laboratories and Research Facility, 10 Dana Road, Valhalla Campus, Valhalla, New York. Advertise for bids

H. Greechan

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

35. (84234) **DPW/Transportation** – Amend the existing Agreement No. 16-926 between the County of Westchester and DCAK – MSA Architecture and Engineering, P.C., to provide for architectural and engineering services in connection with a New Equipment Storage Building, Fire Training Center, Valhalla Campus at Grasslands, Valhalla, New York, to provide additional design services associated with this project that is outside of the scope of work included in the existing agreement, for a proposal fee of \$170,000, increasing the total maximum fee to \$418,000 and the completion date of the agreement shall be extended to 12/31/24. Approved the two (2) subconsultants.

H. Greechan

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

36. (84235) **DPW/Transportation** – Contract No. 19-205 for PIN 8762.10 Westchester County Pedestrian Safety Improvements, Villages of Port Chester, Rye Brook, Towns of Harrison, Mamaroneck, Greenburgh, Mount Pleasant and Cities of Peekskill, Rye, White Plains, and Yonkers, New York. Advertise for bids.

H. Greechan

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

37. (84252) **DPW/Transportation** – Contract No. 19-500 with Tully Construction Co./Intercounty Paving Associates of NY, LLC, to Rehabilitate Runway 16/34, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Approved Bohemia Garden Center, Inc., Bohemia, NY, as a subcontractor.

H. Greechan

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

38. (84288) **DPW/Transportation** – Enter into a Customer Installation Commitment Agreement (Agreement No. 21-908) with the Power Authority of the State of New York, also known as the New York Power Authority, for the design and construction of a Primary Deaerator Tank Replacement at the County's Central Heating Plant, Valhalla Campus, Valhalla, New York, with the work to be completed at a cost not to exceed \$2,790,000, from 5/1/21 – 12/31/23.

H. Greechan

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

39. (84428) **Emergency Services** - Enter into an agreement with Tetra Tech, Inc. for the provision of consulting services in connection with updating the County's Multi-Jurisdictional Multi-Hazard Mitigation Plan, for a term commencing upon full execution and terminate on 4/1/22, for an amount not to exceed \$171,958.

J. Wishnie

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

40. (84464) **Human Resources** – Enter into a permit agreement with the City School District of New Rochelle for the use of New Rochelle High School to conduct a Police Officer Examination on May 15, 2021 and May 16, 2021, in an amount not to exceed \$12,000, payable pursuant to an approved rate schedule, under the listed terms and conditions.

M. Mahon

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

41. (84467) **Correction** – Enter into a Memorandum of Understanding with Family Services of Westchester, Inc. (“FSW”), in order to serve as FSW’s programmatic partner in connection with FSW’s application for a Second Chance Act Community-Based Reentry Grant, at no cost to the County, commencing upon full execution of the MOU and having a term of four (4) years unless earlier terminated by the County upon thirty (30) days written notice.

J. Spano

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 Mríaj*, Secretary

Dated: 4/22/2021