



# County of Westchester

## Board of Acquisition and Contract

### Meeting Minutes

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Thursday, November 4, 2021      11:00 AM      County Executive Conference Room  
Michaelian Office Building

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#### Roll Call

**Present:** Mr. Kenneth W. Jenkins, Mr. Benjamin Boykin, and Mr. Lawrence C. Soule

#### Attendees:

First Deputy Commissioner of Finance	Cesar Vargas
Associate Chief Deputy County Attorney	Tami Altschiller
Board of Legislators	Greg Casciato
Board of Legislators	Lisa Hochman
Secretary BAC	Raymond Sculky
Assistant Secretary BAC	Valerie Rodriguez

**Mr. Jenkins presided.**

**Mr. Jenkins asked, "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?"**

**Mr. Sculky said, "Yes, I have."**

#### **Acquisition & Contract.**

Minutes of the meeting 10/28/21 and the SEQR Review for agenda items.

R. Sculky

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

1. [88253](#) **Board of Legislators** -Amend an agreement with PKF O'Connor Davies, LLP, pursuant to which O'Connor Davies was to provide the Board with an analytical review of, and preliminary findings and recommendations on, and then a final report with findings and recommendations on, the proposed County operating budget and the proposed County special districts budget, from 11/10/20 - 11/9/21, for a flat fee of \$156,000 for the Initial Term, in order to, **1)** extend its term by one (1) year, to a new termination date of 11/9/22, **2)** increase its amount by \$158,000, to a new amount not-to-exceed \$314,000, to pay for services during the first Option Term, and **3)** reflect the fact that the County will have one (1) option remaining under the agreement.

B. Boykin

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

2. [88444](#) **Board of Legislators** - Amend an agreement with PKF O'Connor Davies, LLP, to provide the Board of Legislators with audit services for the County's financial statements, from 1/1/21 - 12/31/21, for an amount not-to-exceed \$503,500, in order to, **1)** extend its term by one (1) year, to a new termination date of 12/31/22, **2)** increase its not-to-exceed amount by \$503,500, to a new amount not-to-exceed \$1,007,000, to pay for the services during the first Option Term, and **3)** reflect the fact that the County will have one (1) option remaining under the agreement.

B. Boykin

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

3. [87971](#) **County Attorney** - Amend an agreement with the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, to serve in an "of counsel" capacity to the County Attorney, as needed, in connection with the Chapter 11 bankruptcy petition and the adversary proceeding filed by Standard Amusements LLC in the United States Bankruptcy Court for the Southern District of New York , for a term commencing on 5/31/19 and continuing until the County no longer has an interest in the Case, as the County may determine in its sole discretion; the County determines, in its sole discretion, to cease participating in the Case; or the County otherwise terminates the agreement, for a total amount not to exceed \$5,500,000, by increasing the amount by \$90,000, to a new amount not-to-exceed \$5,590,000.

J. Nonna

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

- 4. [88064](#) **County Attorney** - Settle the lawsuit of entitled *Abel Acosta Salazar v. Westchester County, et al.*, 20 Civ. 4116 (S.D.N.Y.) (VB) by payment from the County of Westchester to *Abel Acosta Salazar* in an amount not to exceed \$30,000.

J. Nonna

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

- 5. [88468](#) **County Attorney** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with the law firm of Sheppard, Mullin, Richter & Hampton LLP, for the provision of consultant services, in connection with a contract between the County and Niram, Inc., for Infrastructure Rehabilitation at Playland Park, in regard to a possible default by Niram, Inc.

J. Nonna

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

- 6. [88275](#) **Planning / County Executive/Ctywide Admin Svc** - Enter into any and all agreements necessary to purchase approximately 2.4 +/- acres of real property located at 41-51 Maple Street, Village of Croton, from the current owner(s) of record, in an amount not to exceed \$1,757,576 and to convey the Property to Regan Development Corporation, its successors or assigns for One (\$1.00) Dollar and to grant and/or accept any and all property rights in connection therewith for the purpose of developing twenty-nine (29) affordable rental units that will affirmatively further fair housing.

N. Drummond  
C. Steers

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

- 7. [88276](#) **Planning / County Executive/Ctywide Admin Svc** - Enter into any and all agreements necessary to purchase approximately 2.26 +/- acres of real property located at 1 Dromore Road, Town of Greenburgh from the current owner(s) of record, in the not to exceed amount of \$3,825,000 and to convey the Property to WB Edgemont, LLC, its successors or assigns for one dollar (\$1.00) and to grant and/or accept any and all property rights in connection therewith.

N. Drummond  
C. Steers

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

8. [88364](#) **Planning** - Amend an agreement with Hispanic Resource Center d/b/a Community Resource Center to provide housing relocation assistance to residents displaced by Hurricane Ida in Westchester Urban County Consortium municipalities, in an amount not-to-exceed \$150,000, from 9/15/21 - 3/31/22, in order to correct the name of the recipient from Hispanic Resource Center d/b/a Community Resource Center, **to** Hispanic Resource Center of Larchmont & Mamaroneck d/b/a Community Resource Center.

N. Drummond

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

9. [88439](#) **Planning** - Retroactively amend an agreement with the Town of Rye to provide a grant from the Community Development Block Grant Program, to be used to provide funding for the demolition of the existing pavement and the construction of a handicapped accessible ramp at the Rye Town Park and beach entrance in the Town, from 5/11/20 - 5/10/21 in order to increase the dollar amount from \$100,000 **to** \$116,000, an increase of \$16,000.

N. Drummond

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

10. [86817](#) **Social Services** - **(1)** Enter into a grant agreement with the New York State Office of Children and Family Services ("OCFS") to accept grant funds in the amount of \$33,000 for the term 1/1/2021 - 12/31/21 pursuant to OCFS' Safe Harbour: NY Program; and **(2)** enter into agreements with Children's Village, Inc., in the amount not to exceed \$13,003.08, for the term 1/1/21 - 12/31/21, for the provision of extra-curricular activities, therapeutic self-defense classes, youth leadership projects, holiday activities and transportation; Westchester Jewish Community Services Inc., in the amount not to exceed \$2,600, for a term of 1/1/2 - 6/30/21, for the provision of consultation, training and supervision; Dr. Carol Chu-Peralta, and Christine Wexler, for the provision of two (2) retreats for approximately twenty (20) adolescents and an amount not to exceed \$10,531.92 will be retained by the Department for administrative costs.

L. Townes

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

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11. [88423](#) **Social Services** - Enter into an agreement with the three (3) listed entities, for which each Operator will provide home care services to Medicaid recipients eligible for the Assisted Living Program, funded under Title XIX of the Social Security Act, for the period from 1/1/21 until the agreement is terminated, under the listed terms and conditions.

L. Townes

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

12. [88015](#) **Senior Programs and Services** - Amend an agreement with Westchester Public/Private Membership Fund for Aging Services, Inc., for the County to exercise its fourth and final one-year renewal option, from 1/1/21 - 12/31/21, for a not to exceed amount of \$95,000, for the provision of Chronic Disease Self-Management Program, the Chronic Pain Self-Management Program and the Tomando Control de su Salud Program to elderly persons residing in Westchester County under Title III-D of the Older Americans Act, in order to **1)** delete the phrase "Fourth Amendment" therein and insert the phrase "Fifth Amendment" in its place, and **2)** reduce the aggregate not to exceed amount under the Fifth Amendment from \$95,000 to \$59,564..

M. Carpenter

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

13. [88017](#) **Senior Programs and Services** - Enter into agreements with the agencies listed in Schedule "A", for the provision of consumer directed in-home services, and homemaker and housekeeper services to frail, homebound seniors under the Expanded In-Home Services for the Elderly Program, from 4/1/21 - 3/31/22, for a total aggregate amount not to exceed \$1,994,290, comprised of \$1,495,717 in State funds and \$498,573 in County tax dollars, in order to change the name of one of the agencies listed therein from Lifting Up Westchester, Inc. to Always Compassionate Home Care, Inc.

M. Carpenter

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

14. [88555](#) **Community Mental Health** - Enter into five (5) agreements with the three (3) listed entities, in order to implement "Mobile Crisis Response Teams" in Mount Kisco, New Rochelle, Peekskill, White Plains/Greenburgh and Mount Vernon, to address mental health, developmental disabilities, substance misuse, and co-occurring issues in Westchester County. Each Agreement will be for the designated community, from 11/1/21 - 12/31/22, for a not-to-exceed amount of \$3,512,170.

M. Orth

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

15. [88044](#) **Health** - Amend agreements with approved Related Services providers, pursuant to Section 4410, Part 200 of the New York State Education Law, in order to add approved Related Services providers: FUNctional SLP Speech and Language Therapy, PLLC, Behavior Analysts of New York, LLC, All About Rehab Management Inc., Somos Bilingues SLP, PLLC, Bumble Bee Speech LLC, Therapy Pathways Speech and Language Services PLLC, WestField Speech Solutions, PLLC, Ernest Roebuck, Annamarie Rerrie, Dassy L. Kofman, Lupe Buten, effective 1/1/22 to the list.

S. Amler

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

16. [88304](#) **College** -Contract No.WCC-22-671 for Security for Main Campus and Extension Sites, Westchester Community College, Valhalla, New York. Advertise for bids.

B. Miles

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

17. [88405](#) **College** - Enter into an agreement with the Westchester County Health Care Corporation, pursuant to which the Corporation shall provide Covid-19 nasopharyngeal testing services to WCC's staff, faculty and students for potential risk exposure to the Coronavirus Disease (COVID-19), for a term from 10/7/21 - 10/6/22, for a total not to exceed amount of \$1,000,000.

B. Miles

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

18. [88086](#) **Public Safety** - Amend the lease agreement with the Village of Mount Kisco, pursuant to which the County leases a portion of real property owned by the Village and located at Mountain Avenue to permit the installation, operation and maintenance of additional equipment by the County, to connect the County's radio equipment to the Village antenna and Village transmission line and supporting hardware located on the Property, with the term of the lease amendment to commence on 11/4/21 and run coterminous with the term in the Initial Lease Agreement.

T. Gleason

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

19. [88264](#) **DPW/Transportation** - Amend Agreement No. 11-935 with Hazen and Sawyer, D.P.C., to provide for additional engineering services in connection with the Tarrytown Pump Station Rehabilitation, Saw Mill Sewer District, Tarrytown, New York to provide additional design and construction administration services associated with this project, for a fee of \$602,715, increasing the total maximum fee to \$4,618,768.27. Approval of Bidwell Environmental, LLC, (WBE), Sugar Loaf, NY, as a subconsultant.

H. Greechan

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

20. [88321](#) **DPW/Transportation** - Contract No. 21-207 for Service Contract for Plumbing Repairs, Various Locations, Westchester County, New York. Award to Low Bidder, Mengler Mechanical, Inc., Brewster, in the amount of \$224,355. (5 bids)

H. Greechan

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

21. [88370](#) **DPW/Transportation** - Amend Agreement No. 17-903 with D&B Engineers and Architects, P.C., for engineering services in connection with Blue Mountain Reservation Site Work Improvements, Town of Cortlandt and City of Peekskill, New York, for additional design and construction administration services associated with this project, for a fee of \$453,500, increasing the total maximum fee to \$789,112, with the completion date of the agreement to be extended to 12/31/25.

H. Greechan

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

22. [88389](#) **DPW/Transportation** - Contract No. 20-506-Rev., with The LandTek Group, Inc., Memorial Field Complex Reconstruction, City of Mount Vernon, New York. Approval of Clearview Tree & Land Corp., Westbury, NY, as a subcontractor.

H. Greechan

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

23. [88392](#) **DPW/Transportation** - Contract No. 21-528 for Steam System Upgrades, Phase II, Michaelian Office Building, White Plains, New York. Advertise for bids.

H. Greechan

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

24. [88514](#) **DPW/Transportation** - **1)** Retroactively authorize and ratify Agreement 21-940 with the New York State Unified Court System, to provide cleaning services for the interior of the Westchester County Richard J. Daronco Courthouse, New Rochelle Family Court and Yonkers Family Court, as well as perform minor repairs therein, from 4/1/18 - 3/31/23, for a total aggregate amount not-to-exceed \$9,597,684, and **2)** amend the agreement to retroactively authorize and ratify the agreement to provide for the temporary cleaning services for the interior of the Mount Vernon City Court, as well as certain minor repairs therein, for the period commencing upon execution and continuing through 12/31/21, with the County in its sole discretion having the option to extend the performance period an additional sixty (60) days and pursuant to which the County will be reimbursed 100% for the costs it incurs to perform such services up to a maximum amount of \$60,565.

H. Greechan

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

25. [88515](#) **DPW/Transportation** - Enter into Permit Agreement No. 21-941 with the City of Mount Vernon, pursuant to which the City will grant the County, its officers, employees, agents, contractors and subcontractors, a permit to enter upon and access the Ronald A. Blackwood Building, 2 Roosevelt Square North, 2nd Floor, Mount Vernon, New York, for the purpose of performing certain temporary cleaning services and minor repairs, commencing upon execution and expire on 12/31/21, under the listed terms and conditions.

H. Greechan

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

26. [88534](#) **DPW/Transportation** - Contract No. 21-208 for Emergency Electrical Service, Westchester County Center, 198 Central Avenue, White Plains, New York. Award to Healy Electric Contracting, Inc., White Plains, in the amount of \$35,350.38.

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: *Raymond Sculky*, Secretary

Dated: 11/4/2021