



# County of Westchester

## Board of Acquisition and Contract

### Meeting Minutes

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Thursday, December 23, 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:

Commissioner of Finance	Ann Marie Berg
Associate Chief Deputy County Attorney	Tami Altschiller
Board of Legislators	Mary Beth Gose
Board of Legislators	Lisa Hochman
Secretary BAC	Raymond Sculky
Assistant Secretary BAC	Joan Cocciardi

**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? I know that we are still certainly running under one of the Governors Executive Orders that allow for us to have these meetings virtually. "**

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

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

**Mr. Soule said, "I move to add item 21, Onbase ID 89762, Authorization to terminate Contract No. 20-501 with Niram, Inc. for Infrastructure Rehabilitation, Playland Park, Rye, New York, and for the County of Westchester to exercise any/or all of its rights under the Contract, including without limitation, to enter upon the premises and take possession for the purpose of completing the work included under the Contract of all materials, tools and appliances thereon and to take all necessary measures to provide the Contract work."**

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

**Mr. Jenkins said, "The motion passes. The Secretary shall add item 21 to the agenda. Next motion please."**

Mr. Soule said, “I move to add item 22, Onbase ID 89774, Authorization for the County of Westchester to amend its agreement with Westchester Medical Center Advanced Physician Services P.C. to perform COVID-19 screening testing services for students, teachers and staff in public and private schools in grades kindergarten through 12 commencing retroactively on September 1, 2021 and terminating on December, 31, 2021, in an amount not to exceed \$350,842.00, in order to exercise the County’s option to renew the term of the agreement for an additional seven (7) month period from January 1, 2022 through July 31, 2022, with no increase in the not to exceed cap.”

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

Mr. Jenkins said, “The motion passes. The Secretary shall add item 22 to the agenda. I understand that the Budget Director wishes to speak.”

Mr. Soule 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.

On the evening of September 1, 2021, the remnants of Hurricane Ida brought record rainfall to Westchester County. On the morning of September 2, 2021 it was discovered that the Westchester County Center in White Plains had experienced flooding on the east side of the building overnight, which caused the basement to fill with significant amounts of water in some areas. Staff from the Departments of Public Works and Transportation as well as Parks, Recreation and Conservation met at the County Center and observed the lower level of the building filled with two to four feet of water. The facility had to be immediately de-energized, cleaned and pumped to clear out water, then tested and re-energized for safety and for a timely return to operations of the County Center as a COVID vaccination site. On September 2, 2021, Con Ed shut off power to the building and the Department of Emergency Services pumped out the majority of water in the basement.

It was determined by DPWT and PRC that additional support was needed on an emergency basis to remove any remaining water, remove damaged carpeting and sheetrock, clean and sanitize the area to prevent mold infiltration. In order to protect staff and the County Center facility, and facilitate return to the operations of the building as a vaccination site as quickly as possible, DPWT declared an emergency situation. A DPWT service contractor was brought in to continue the water removal, to remove water damaged sheetrock, carpet, materials and equipment to prevent future mold growth and to perform deep cleaning. Failure to make these repairs would result in a public health hazard.

As an emergency, this situation could not await competitive bidding. DPWT selected the firm of CTE Incorporated dba Reliable Cleaning System to perform Contract 21-212, Emergency Cleaning Services, Westchester County Center, 198 Central Avenue, White Plains, New York. The emergency work performed under this contract included all necessary labor, material and equipment required for removal of all residual water and dirt from the building after the storm, setting up and monitoring of drying equipment including dehumidifiers and fans, removal of damaged carpet, sheetrock, equipment and materials and applying an anti-microbial to all affected surfaces to prevent mold. A resolution is being submitted to your Honorable Board requesting the approval of CTE Incorporated dba Reliable Cleaning System for cleaning and partial demolition, including removal of sheetrock and carpeting, in an amount not to exceed \$184,286.70.”

Mr. Jenkins said, “I direct the Secretary to the Board of Acquisition & Contract to include the memo from the Commissioner of Public Works and Transportation as part of the minutes of today’s meeting.”

Mr. Boykin said, "Thank you Deputy County Executive Ken Jenkins. I just want to comment on the Playland item that’s the determination of this contractor. I have been called by the County Attorney John Nonna, and he has discussed this situation with me about 30 minutes ago. I received a call from the Commissioner of Public Works and Transportation, Hugh Greechan, talking about this item that this is necessary information and this is a necessary move that we need to take to terminate this contractor to bar him from the premises so that we can move forward with the work that is necessary at Playland on both the County’s behalf and also in working with Standard Amusements."

Mr. Jenkins said, "Thank you Mr. Chairman. Are there any other matters to be discussed."

Mr. Boykin said, "Thank you very much. As you know this is the end of the Board’s Legislative term. We begin a new term on January 3rd with the reorganization. We will have a new leadership team. I will not be part of that team. I want to say it has been my pleasure to work with each of you as part of the Acquisition and Contracts Committee. I am not going anywhere, I just won’t be part of this A&C but I will be around focusing my energy and still working for the people of Westchester County. Thank you."

Mr. Jenkins asked, "Thank you Mr. Chairman. Mr. Soule do you have any comments."

Mr. Soule said, "I just would like to return the sentiment to the Chairman, that I enjoyed working with you on this Board and I wish everyone Happy Holidays."

Mr. Jenkins asked, "Mr. Chairman do you want to add your holiday greetings?"

Mr. Boykin said, “Absolutely, I do want to add holiday greetings to everybody. Merry Christmas, Happy Kwanzaa, Happy New Year a safe and healthy 2022. I know we have

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a lot of people that have been affected by this variant. We have a couple of people in our office affected. We are wishing everyone a very speedy recovery, and it has not been very significant on anyone, including you Mr. Deputy County Executive.”

Mr. Jenkins said, “Thank you Mr. Chairman, and again, I just want to remind everyone we still have one meeting that is scheduled on the calendar. Mr. Chairman it has been an honor and a privilege to have both been a colleague of yours on the Board of Legislators and watching all the outstanding work you have done as Chairman of the Board of Legislators. The job is always to leave it better than when you came in and you have absolutely done that Mr. Chairman. We are looking forward to next week for our last Board of Acquisition and Contract meeting of this particular term. I want to say to everyone again, Happy Holidays, Merry Christmas, Happy Kwanzaa and as we always like to say festus for the rest of us. Reality is, I am still doing my quarantine time. I think I don’t get out of the basement until December 26th. We are, as you can hear, in good shape considering all the things that are going on and that’s because vaccinations work. Get vaccinated, get boosted and do all those kind of things that we all need to do to continue to have everyone safe during this holiday season.”

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

Minutes of the meeting 12/16/21 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. [89266](#) **County Attorney** - Amend a grant agreement with New York State Office of Indigent Legal Services for the Second Upstate Quality Improvement and Caseload Reduction Grant (Contract #C2ND655) to improve the provision of legal services to indigent persons, pursuant to Article 18-B of the County Law, to extend the termination date from 6/30/21 to 6/30/22.

J. Nonna

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

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2. [89305](#) **County Attorney - 1)** Enter into a grant agreement with New York State Office of Indigent Legal Services for the Third Quality Improvement and Caseload Reduction grant, for the receipt of \$279,566 to improve the quality of mandated indigent legal services, from 7/1/20 - 6/30/23; and **2)** enter into an agreement with the Legal Aid Society of Westchester to implement the County work plan pursuant to the grant agreement, in an amount not to exceed \$279,566, from 7/1/20 - 6/30/23.

J. Nonna

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

3. [89441](#) **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.

J. Nonna

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

4. [89442](#) **County Attorney -** Amend a retainer agreement with the law firm of Sheppard, Mullin, Richter & Hampton LLP, as previously amended and assigned, for the provision of outside counsel legal services in connection with the civil matter Yonkers Contracting Company, Inc. v. County of Westchester, et al /Index Number: 63929/2015, for a term commencing on 1/18/18 - 12/31/21, in an amount not-to-exceed \$859,100, by **1)** increasing the amount by \$150,000, to a new total aggregate amount not-to-exceed of \$1,009,100, and **2)** extend the term of the retainer agreement from 1/1/22 - 12/31/22.

J. Nonna

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

5. [89387](#) **Emergency Services -** Enter into a grant agreement with the New York State Division of Homeland Security and Emergency Services, to accept \$681,635 in funding under the New York State 2020 Statewide Interoperable Communications Grant Program to be used to facilitate the development and improved operation of public safety communications to support and enhance statewide interoperable communications for first responders, for the period retroactive to 1/1/21 - 12/31/22.

R. Wishnie

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

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6. [88921](#) **Social Services** - Enter into an agreement with Volunteers of America-Greater New York, Inc., pursuant to which VOA will provide a homeless shelter at Grasslands, for the period from 1/1/22 - 12/31/22, for an amount not to exceed \$4,180,863.

L. Townes

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

7. [89399](#) **Social Services** - Amend the agreement with Westhab, Inc., concerning the provision and operation of a housing facility at 21 Fountain Place in New Rochelle and the provision of related services, by, **1)** extending its term by one year, to a new termination date of 12/31/22; **2)** increasing the amount by \$1,456,161, to a new total not-to-exceed amount of \$5,245,141, to pay for the work to be performed during the extended term; and **3)** reflecting the fact that the County of Westchester will have one remaining one-year option.

L. Townes

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

8. [89400](#) **Social Services** - Amend each of the three agreements concerning the provision of an Emergency Housing Assistance Program for a particular zone, by, **1)** extending the term of each agreement by six (6) months, to a new expiration date of 6/30/22; **2)** increasing the total amount of all of the agreements by \$4,049,168, to pay for the work to be performed during the extended terms, and **3)** modifying the budget of each agreement in order to allocate the additional funds.

L. Townes

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

9. [89471](#) **Social Services** - Enter into an agreement with the Youth Shelter Program of Westchester, Inc., to operate an alternative to incarceration program entitled the Mount Vernon Emerging Adult Justice Initiative for individuals aged 18 to 25 in the adult criminal court system, from 1/1/22 - 12/31/22, in an amount not to exceed \$53,000.

L. Townes

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

10. [89635](#) **Social Services** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an amendment to each agreement between the County of Westchester and each of the three entities listed, for which each entity is currently obligated to provide a zone with an Emergency Housing Assistance Program, consisting of the provision of 'emergency housing units' and related housing service to customers deemed eligible for temporary housing assistance by the Department of Social Services, for the period from 1/1/17 - 12/31/21, for which each of the agreements shall be modified by, **1)** extending its term by six (6) months, to a new expiration date of 6/30/22; **2)** increasing its amount by the amount shown, to the new total amount, to pay for the services during the extended term; and **3)** modifying its budget in order to allocate the additional funds.

L. Townes

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

11. [89637](#) **Health** - Amend the agreement with the Execu Search Group, LLC, as amended, for COVID-19 screening testing services for students, teachers and staff in public and private schools in grades kindergarten through grades 12, for a not to exceed amount of \$1,010,000, to extend the term of the agreement for a period commencing on 1/1/22 - 7/31/22, and increasing the amount by \$1,050,000, for a new amount not to exceed \$2,060,000.

S. Amler

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

12. [89649](#) **Health** - Amend the agreement with Quadrant Biosciences, Inc., as amended, for COVID-19 screening testing services for students, teachers and staff in public and private schools in grades kindergarten through grades 12, for a not to exceed amount of \$13,430,697, when combined with the agreements with Mirimus, Inc. and Mount Sinai Hospital, to extend the term of the agreement for a period commencing on 1/1/22 - 7/31/22, with no increase in the not to exceed cap.

S. Amler

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

13. [89650](#) **Health** - Amend the agreement with Mirimus Inc., for COVID-19 screening testing services for students, teachers and staff in public and private schools in grades kindergarten through grades 12 for a not to exceed amount of \$13,430,697, when combined with the agreements with Mount Sinai Hospital and Quadrant Biosciences, Inc., to extend the term of the agreement for a period to commence on 1/1/22 - 7/31/22, with no increase in the not to exceed cap.

S. Amler

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

14. [89665](#) **Health** - Amend the agreement with Mount Sinai Hospital for COVID-19 screening testing services for students, teachers and staff in public and private schools in grades kindergarten through grades 12 for a not to exceed amount of \$13,430,697, when combined with the agreements with Mirimus, Inc. and Quadrant Biosciences, Inc., to extend the term of the agreement for a period to commence on 1/1/22 - 7/31/22 with no increase in the not to exceed cap.

S. Amler

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

15. [89432](#) **DPW/Transportation** - Contract No. 12-517-Rev., with Custom Marine Inc., for Cellular Bulkhead Rehabilitation - Phase III & IV, Yonkers Joint Wastewater Treatment Plant, Yonkers, New York. Approval of the four (4) listed subcontractors.

H. Greechan

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

16. [89433](#) **DPW/Transportation** - Contract No. 15-532 with Abbott & Price, Inc., for Infrastructure Improvements, Tibbetts Brook Park, Yonkers, New York. Approval of the four (4) listed subcontractors.

H. Greechan

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

17. [89434](#) **DPW/Transportation** - Contract No. 21-506 with Fanshawe, Inc. dba Rockland Electric, for Uninterruptible Power Supply Replacement, Forensic and Toxicology Divisions, Laboratories and Research Facility, Valhalla Campus, Valhalla, New York. Approval of Enecon Northeast APS, Inc., Farmingdale, NY, as a subcontractor.

H. Greechan

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

18. [89496](#) **DPW/Transportation** - Contract No. 20-504 with Tully-Arben LLC, for Rehabilitation of Pool and Bathhouse, Playland Park, Rye, New York. Approval of Contractors' Line and Grade South, LLC, Elmsford, as a subcontractor.

H. Greechan

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

19. [89499](#) **DPW/Transportation** - Enter into Permit Agreement No. 21-945 with Sigma Gamma Rho Sorority, Inc. - Delta Nu Sigma Alumnae Chapter, Mount Vernon, New York 10550, for participation in the Adopt-A-Road Program, for the period of 1/1/22 - 1/1/24, to conduct the program, including maintaining the appearance of a specific segment of the County roadway system, namely, County Road No. 36, Tuckahoe Road, from Parkview Avenue to Central Avenue, Yonkers, New York, a length of 0.52 miles.

H. Greechan

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

20. [89535](#) **DPW/Transportation** - Contract No. 21-526 for House Refurbishment, 3271 Lincoln Drive, Mohegan Lake, New York. Award to Low Bidder, MCT AT SERVICE INC. (MBE), Yonkers, in the amount of \$115,000. (2 bids).

H. Greechan

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

21. [89762](#) **DPW/Transportation** -Contract No. 20-501 with Niram failing to comply with the terms of the contract for the Infrastructure Rehabilitation, Playland Park, Rye, New York, be hereby terminated in its entirety.

H. Greechan

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

22. [89774](#) **Health** - Amend the agreement with the Westchester Medical Center Advanced Physician Services P.C., for COVID-19 screening testing services for students, teachers and staff in public and private schools in grades kindergarten through 12 for a not to exceed amount of \$350,842, pursuant to the rates in Schedule "A", in order to renew the term for an additional seven (7) month period and, thereby, extend the term of the agreement commencing 1/1/22 - 7/31/22, with no increase in the not to exceed cap.

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 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: 12/29/2021

**TO:** Honorable Members of the Board of Acquisition and Contract

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

**DATE:** December 20, 2021

**SUBJECT:** Declaration of Emergency Situation  
Contract No. 21-212  
Emergency Cleaning Services  
Westchester County Center  
198 Central Avenue, White Plains, New York

On the evening of September 1, 2021, the remnants of Hurricane Ida brought record rainfall to Westchester County. On the morning of September 2, 2021 it was discovered that the Westchester County Center ("County Center") in White Plains had experienced flooding on the east side of the building overnight, which caused the basement to fill with significant amounts of water in some areas. Staff from the Departments of Public Works and Transportation ("DPWT") as well as Parks, Recreation and Conservation ("PRC") met at the County Center and observed the lower level of the building filled with two to four feet of water. The facility had to be immediately de-energized, cleaned and pumped to clear out water, then tested and re-energized for safety and for a timely return to operations of the County Center as a COVID vaccination site. On September 2, 2021, Con Ed shut off power to the building and the Department of Emergency Services pumped out the majority of water in the basement.

It was determined by DPWT and PRC that additional support was needed on an emergency basis to remove any remaining water, remove damaged carpeting and sheetrock, clean and sanitize the area to prevent mold infiltration. In order to protect staff and the County Center facility, and facilitate return to the operations of the building as a vaccination site as quickly as possible, DPWT declared an emergency situation. A DPWT service contractor was brought in to continue the water removal, to remove water damaged sheetrock, carpet, materials and equipment to prevent future mold growth and to perform deep cleaning. Failure to make these repairs would result in a public health hazard.

As an emergency, this situation could not await competitive bidding. DPWT selected the firm of CTE Incorporated dba Reliable Cleaning System to perform Contract 21-212, Emergency Cleaning Services, Westchester County Center, 198 Central Avenue, White Plains, New York. The emergency work performed under this contract included all necessary labor, material and equipment required for removal of all residual water and dirt from the building after the storm, setting up and monitoring of drying equipment including dehumidifiers and fans, removal of damaged carpet, sheetrock, equipment and materials and applying an anti-microbial to all affected surfaces to prevent mold.

A resolution is being submitted to your Honorable Board requesting the approval of CTE Incorporated dba Reliable Cleaning System for cleaning and partial demolition, including removal of sheetrock and carpeting, in an amount not to exceed \$184,286.70.