

**MINUTES OF THE MEETING OF THE  
COUNTY OF WESTCHESTER  
BOARD OF ACQUISITION AND CONTRACT  
HELD ON THURSDAY, MARCH 18, 2010 AT 11:00 A.M.**

Acting County Executive	Kevin Plunkett
Chair, Board of Legislators	Ken Jenkins
Acting Commissioner of Public Works	John Hsu
Deputy County Attorney	Jim Robertson
County Executive's Office	Christine Sculti
County Executive's Office	William Mooney
Office of Budget	Patricia Haggerty
Commissioner, Dept. of Parks, Rec. & Cons.	Joe Stout
Deputy Commissioner, Dept. of Finance	Dennis Kelly
Board of Legislators	Olivia Rhodes
Board of Legislators	Ray Indelicato
Board of Legislators	Larry Goldstein
Board of Legislators	Anne Reasoner
Information Technology	Marguerite Beirne
Secretary BAC	JoMary Vieira
Assistant Secretary BAC	Debby Linhardt

Mr. Plunkett presided.

**Mr. Plunkett said, "Before we begin the meeting, has the Secretary checked the reception area to make sure that all members of the public who wish to attend this meeting have been invited into this conference room?"**

**Ms. Vieira confirmed that she had done so.**

**Deputy County Executive Kevin Plunkett announced that he was chairing this meeting of the Board of Acquisition and Contract because County Executive Astorino was out of the County on official business.**

**Acquisition & Contract.** Minutes of the meeting of 3/11/10 and the SEQR Review for agenda items.

J. Vieira

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

Mr. Plunkett then said, "I also note the filing of a memorandum from Commissioner Stout dated March 15, 2010 concerning damages sustained at the Ice Casino, the Pier and the Boardwalk in Playland Park during last Saturday's Nor'easter. The memorandum notes that such damages will require an emergency contract. Commissioner Stout is here today to answer any questions that the Board may have concerning the damages and the nature of the emergency."

"Before we consider today's agenda, are there any questions concerning the memorandum from Commissioner Stout?" There were no questions.

1. (7912) **Information Technology** - Agreement (IT-1157) with American Messaging Services, LLC d/b/a American Messaging, Lewisville, TX, for paging services for various County departments, as required by the New York State Office of General Services contract number PS64716, from 7/2/09 – 7/1/14, for a total not to exceed contract amount of \$30,000.

M. Beirne

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

2. (7968) **Planning** - Amend the agreement with the New York State Emergency Management Office to accept a grant to conduct a technical workshop for municipal officials and design professionals on Flood Plain Management, in order to change the expiration date from 3/31/10 to 6/30/10.

E. Buroughs

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

3. (7969) **Planning** - Amend the agreement with the New York State Emergency Management Office to accept a grant to create a Technical Guidance Manual on Flood Mitigation, by changing the expiration date from 3/31/10 to 6/30/10.

E. Buroughs

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

4. (7898) **Social Services** – Authority on behalf of the Westchester Putnam Local Workforce Investment Board, to amend an agreement with Integrated Enterprise Solutions, Inc., to design, develop and maintain a website which will become the official Green Talent Pipeline Data Center in connection with the Hudson Valley Green Talent Pipeline Partnership and also secure a new domain name for the current website, from 11/1/09 – 10/31/10, for an amount not to exceed \$25,000, by increasing the not to exceed amount of the agreement by \$3,030, for a new total not to exceed amount of \$28,030.

K. Mahon

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

5. (7772) **College** - Agreement with TouchNet Information Systems, Inc., Lenexa, KS, for the provision of in-person credit card and web-based payment services, for a total fee of \$150,600, commencing in 2010 and terminating in 2014, under the listed terms and conditions.

J. Hankin

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

6. (7884) **College** – Contract No. WCC-09-865, for HVAC Replacement at Ossining Extension Site, Westchester Community College, Valhalla, New York. Advertise for bids.

J. Hankin

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

7. (7985) **College** – Contract No. WCC-10-877, for Installation of Media Equipment into the Gateway Center, Westchester Community College, Valhalla, New York. Advertise for bids.

J. Hankin

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

8. (7993) **College** – Contract No. WCC-10-871, for Science Building Renovation/Improvements, Westchester Community College, Westchester County, New York. Awarded to Low Bidder, Rok-Built Construction, Inc., Yorktown Heights, in the amount of \$5,538,200; and approved the following subcontractors: All Star Electric Corp. (Electrical Work), Hawthorne; S&L Plumbing & Heating Corp., (Plumbing Work), Brewster; and Carey & Walsh, Inc. (HVAC Work), Briarcliff Manor. (7 bids received)

J. Hankin

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

9. (7997) **College** – **OVER BY BOARD OF LEGISLATORS.** Request authority to extend an agreement with Mitchell/Martin, Inc., for project management services in connection with the second phase of the implementation of PeopleSoft Financial, Human Resources, and Campus Solutions software, by changing the expiration date to 12/31/10.

J. Hankin

**Mr. Jenkins made some comments. Mr. Plunkett replied. Please refer to tape.**

10. (7717) **Correction** - IMA with the City of Mount Vernon to provide round trip transportation for prisoners between Mount Vernon and the Westchester County Jail in Valhalla, New York., for an annual amount not to exceed \$183,040 in 2009 and \$188,531 in 2010, for a total amount not to exceed \$371,571, from 1/1/09 – 12/31/10, under the listed terms and conditions.

K. Cheverko

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

11. (7885) **District Attorney** - Agreement with the New York State Division of Criminal Justice Services to operate the VAWA Recovery Program, from 12/1/09 – 11/30/10, in the amount of \$106,800 in Federal grant funds and \$71,008 in County matching funds.

J. DiFiore

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

12. (7906) **Public Safety** - Authority to **1)** enter into three-party Use and Dissemination Agreements with those municipalities within Westchester County that choose to utilize the TraCS program and that purchase the required equipment for such use at their own cost and expense, and the New York State Police, whereby the County will act as a lead agency to coordinate the municipalities' use of the TraCS program and act as a liaison with the NYS Police; and **2)** enter into a separate two-party agreement with the NYS Police which will set forth the County's responsibilities as the lead agency, commencing upon execution and terminating five (5) years from date of execution.

G. Longworth

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

13. (7908) **Public Safety** - Agreement with the New York State Division of Criminal Justice Services in order to provide the DPS with access to criminal history and wanted and/or missing persons data as may be contained in the DCJS and, if applicable, in the National Crime Information Center and other state repository files, as available through the Interstate Identification Index, commencing upon execution and continuing until canceled, under the listed terms and conditions.

G. Longworth

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

14. (7909) **Public Safety** - Agreement with the New York State Division of Criminal Justice Services to provide the DPS with access to criminal history and wanted and/or missing persons data as may be maintained by the DCJS and, as may be further available through the National Crime Information Center and other state repository files through the Interstate Identification Index, in connection with certain licenses issued by the Westchester Taxi and Limousine Commission, commencing upon execution and continuing until canceled, under the listed terms and conditions.

G. Longworth

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

15. (8003) **Public Safety** - MOU with the U.S. Department of Justice, Federal Bureau of Investigation New York Office Joint Terrorism Task Force, ("JTTF") to assign an investigator to the JTTF, with the County being responsible for the pay, overtime, leave, performance appraisals, and other personnel matters relating to its employee detailed to the JTTF, commencing upon execution until terminated.

G. Longworth

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

16. (7991) **Public Safety** - IMA's with municipalities located in the County of Westchester, the Counties of Putnam, Rockland and Dutchess, and the municipalities located within such Counties, to provide the municipalities with access to a system called the Westchester County Repository for Integrated Criminalistic Information to allow for the electronic transmission and storage of criminal record and police blotter information, commencing on 1/1/10 and terminating 5 years from commencement, under the listed terms and conditions.

Longworth/Beirne

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

17. (7341) **Probation** - Agreement with the YWCA of White Plains and Central Westchester, White Plains, for the provision of a supervised visitation program related to the court ordered supervised visitation of children, from 1/1/10 – 12/31/10, at a cost not to exceed \$214,503.

R. Pozzi

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

18. (7346) **Probation** - Agreement with the Mental Health Association of Westchester County, Inc., Elmsford, to provide a Sex Offender Treatment Program, from 1/1/10 – 12/31/10, as summarized in the attached "Schedule A"; for an amount not to exceed \$154,500.

R. Pozzi

**Mr. Jenkins made some comments. Mr. Plunkett replied, Please refer to tape. Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**

19. (8015) **Parks** - Amend a 3/4/10 Resolution to enter into a 60 month lease agreement with Agricredit Acceptance LLC, Johnston, IA, commencing on 3/15/10, for the provision of golf cars at six County golf courses, by changing the term from 60 months to 54 months and revising the commencement date from 3/15/10 to on or about 4/15/10; and upon termination of the 54 month lease, the County of Westchester is authorized to enter into a no cost 6 month lease with Club Car, Inc., for the provision of golf cars at six County golf courses,

J. Stout

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

20. (7799) **Transportation** – Agreement with the New York State Department of Transportation for subregional transportation planning services, from 4/1/10 – 3/31/11, with the State of New York providing up to \$725,164 in Federal funds and the County providing matching funds up to \$181,291, for a total amount up to \$906,455.

L. Sailey

**Mr. Jenkins made some comments. Mr. Plunkett replied. Please refer to tape. Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**

21. (7970) **DPW** – Contract No. 07-546-E, with Selective Insurance Company of America, to Replace Vehicle Entrance Doors, Central Maintenance Facility, Department of Transportation, 475 Saw Mill River Road, Yonkers, New York. Accepted completed work and approved Final Contract Amount of \$105,800.

J. Hsu

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

22. (7971) **DPW** – Contract No. 09-210, with Mace Contracting Corp., to Replace Mud Valves – Phase II, Ossining Wastewater Treatment Plant, Ossining, New York. Accepted completed work and approved Final Contract Amount of \$60,000.

J. Hsu

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

23. (7973) **DPW** – Contract No. 10-514, for Biological Nutrient Removal Upgrade, Blind Brook Wastewater Treatment Plant, Rye, New York. Advertise for bids.

J. Hsu

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

24. (8026) **DPW** – Contract No. 08-540, for Composite Performance Implementation and Plant Expansion, New Rochelle Wastewater Treatment Plant, New Rochelle, New York. Awarded to Low Bidder, Yonkers Contracting Company, Inc., Yonkers, in the amount of \$121,811,000, and approval of the following subcontractors: Clean Air Quality Service, Inc., (HVAC and Plumbing Work), Hawthorne, and West-Fair Electrical Contracting, Inc., (Electrical Work), Hawthorne. (7 bids received)

J. Hsu

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

25. (7996) **DEF** – Contract No. EF-0906R, for Annual Inspection and Repair of Centrifuges (Rotating Assemblies) including Gearboxes at the Yonkers WWTP, for a period of three years, Westchester County, N.Y. Awarded to Low Bidder, Ashbrook Simon-Hartley Operations, L.P., Houston, TX, in the amount of \$223,725. (3 bids received)

T. Lauro

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

**Mr. Plunkett opened the floor for additional discussion.**

**Mr. Jenkins then said, “The Board is concerned about a previous item on the Board of Acquisition & Contract, Item #6204 on the agenda of December 10, 2009, which was approved prior to your administration taking over. It was duly authorized in September, 2009 and the work was authorized by Act 144 in 2009 and Act 145 of the County Board. Up here, at this moment, it has been inappropriately delayed, as this particular project has a very small window of time and time is of the essence. The Board of Legislators is preparing to take any and all necessary actions to ensure that this particular project, which was authorized by this Board, moves forward.”**

**Mr. Plunkett replied, “The resolution you just mentioned, #6204, which was not on today’s agenda, if that was approved, what exactly are we to do, in this administration? If it was approved, it was approved. There’s nothing before the A&C Board is there?”**

**Mr. Jenkins said, “This is a concern of the A&C Board because this body, even with the new Administration, would be the appropriate place to discuss this, since the contract was approved by this Board and moved forward. It was authorized by both the Board of Legislators and this Board and so it’s a matter for the record, that we’re mentioning that there’s a concern at this time.”**

**Mr. Plunkett said, “So there’s no action for the Board, but there’s no action for the County Executive, if what you are saying to me is that it’s been approved by the A&C Board, by the Board of Legislators and by the prior administration. Then so be it.”**

**Mr. Jenkins said, “It’s our understanding that, at this moment in time, that particular project is not moving forward and that’s why we’re having a concern.”**

**Mr. Plunkett, “We’ll both follow-up.”**

This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

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.

Jonacy Vieira  
(Jo Mary Vieira – Secretary)

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

Dated 3/19/10

Jonacy Vieira  
Jo Mary Vieira, Secretary  
Board of Acquisition & Contract