

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, MARCH 25, 2010 AT 11:00 A.M.**

County Executive	Rob Astorino
Deputy 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
Office of Budget	Patricia Haggerty
Deputy Commissioner, Dept. of Finance	Dennis Kelly
Board of Legislators	Olivia Rhodes
Board of Legislators	Ray Indelicato
Board of Legislators	Anne Reasoner
Information Technology	Marguerite Beirne
Secretary BAC	JoMary Vieira
Assistant Secretary BAC	Debby Linhardt
League of Women Voters of Westchester	Adelaide Digiorgi
Member of the Public	Thomas Keller

Mr. Astorino presided.

Mr. Astorino 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.

Acquisition & Contract. Minutes of the meeting of 3/18/10 and the SEQR Review for agenda items.

J. Vieira

Mr. Astorino moved to receive and file the foregoing minutes and SEQRA review, which were duly seconded and approved.

Mr. Hsu made a motion. "I move to add item 19 to the agenda. This is a resolution to award a contract for emergency roofing repairs to the Ice Casino at Playland Park to Nua Construction Corp., a women-owned business enterprise, in the amount of \$183,500. This contract will address conditions at the Ice Casino described in Commissioner Stout's March 15th memorandum that was filed with and discussed by this Board last week. In accordance with the emergency contracting procedures utilized since April 8, 2002, DPW immediately prepared documents to solicit bids from responsible general contractors on the County's Emergency Contractor List and requested bids from three contractors on that list. Nua Construction Corp. submitted the lowest bid."

Mr. Jenkins seconded the motion and Item #19 was added to the Agenda.

1. (7997) **College** - 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. Astorino moved the resolution, which was duly seconded and unanimously approved.

2. (7890) **County Attorney** – Amend an agreement with Jackson Lewis LLP, for the provision of legal representation in connection with an administrative proceeding initiated against an employee of the Westchester County Law Department, from 3/23/09 – 3/22/10, by increasing the amount an additional \$35,000, for a new total not to exceed amount of \$75,000 and extending the expiration date of the agreement from 3/22/10 to 9/22/10.

R. Meehan

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

3. (7891) **County Attorney** – Outside counsel retainer agreement with the law firm of Bleakley Platt & Schmidt LLP, White Plains, to provide legal representation to Dr. Louis Roh in the matters of Jeffrey Deskovic v. City of Peekskill, Putnam County, Westchester County, David Levine, Thomas McIntyre, Walter Brovarksi, Eugene Tumolo, John and Jane Doe Supervisors, Daniel Stephens, Louis Roh, Millard Hyland, George Bolen, Peter Insero, the Legal Aid Society of Westchester County and Alan Tweed and Linda McGarr v. City of Peekskill, Putnam County, Westchester County, David Levine, Thomas McIntyre, Walter Brovarksi, Eugene Tumolo, John and Jane Doe Supervisors, Daniel Stephens, Louis Roh, Millard Hyland, George Bolen, Peter Insero, the Legal Aid Society of Westchester County, from 2/1/10 – 1/31/11, for a rate of \$195 per hour, not to exceed the sum of \$200,000.

R. Meehan

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

4. (8121) **Planning** - Amend the prior resolution with the City of New York to accept and administer a Housing Opportunities for Persons With Aids grant, in order to change the expiration date from 3/31/11 to 3/31/12.

E. Buroughs

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

5. (8098) **Social Services** - Agreement with the Westchester Coalition for the Hungry and Homeless, Inc., to partially fund a position to assist emergency food providers in securing additional outside funding and to assist non-profit soup kitchens, food pantries and shelters with expenses in their efforts to provide surplus food items to needy persons, from 4/1/10 – 3/31/11, for an amount not to exceed \$107,500.

K. Mahon

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

6. (8012) **Health** - Solicit bids for the provision of transportation of children under five years old with special needs, to the educational programs listed on the attachment, from 9/1/10 – 8/31/15, under the listed terms and conditions.

P. Yang

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

7. (8029) **Health** - Amend a 2/11/10 Resolution to enter into an agreement with Titan Outdoor, LLC to develop an advertising poster campaign in mass transit venues to inform and promote vaccine immunizations among adults and children, for the period from contract execution to 3/31/11, for an amount not to exceed \$80,000; by **1)** changing the scope of work to exclude the purchase of advertising space in Metro-North stations, and decrease the not to exceed amount by \$40,000, to a new not to exceed amount of \$40,000; and **2)** authorizing the County to enter into a separate agreement with CBS Outdoor for the purchase of advertising space in Metro-North stations, for the period from contract execution to 3/31/11, for an amount not to exceed \$40,000.

P. Yang

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

8. (8057) **Public Safety – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an MOU with New York Medical College in order to identify the roles and responsibilities of the Medical College and the Department of Public Safety with respect to the Medical College's status as a generator of hazardous waste, commencing upon execution and continuing in effect until either party terminates the MOU by providing written notice to the other party.

G. Longworth

Mr. Jenkins made some comments. Mr. Robertston responded. Please refer to tape.

9. (8063) **Parks** - License Agreement with the Town of North Castle, Armonk, for the continued use of vacant land known as several parcels of Sheet 28, Bronx River Parkway, from 4/1/10 – 3/31/11, for a license fee of \$24,806.

J. Stout

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

10. (8060) **Transportation** - Concession agreements with ExxonMobil Corporation and Chevron Corporation for the storage and distribution of aviation fuels from the fuel farm at Westchester County Airport, from 10/8/10 – 10/7/11, under the listed terms and conditions.

L. Salley

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

11. (8103) **Transportation** - Amend an agreement with Liberty Lines Transit, Inc., P.T.L.A. Enterprise, Inc. and Port Chester-Rye Transit, Inc., by reallocating the amounts as listed, for service adjustments implemented on 2/15/10, at no additional cost to the County.

L. Salley

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

12. (8111) **DPW** - Permit Agreement with Three D Industrial Maintenance Corp., Hawthorne, for participation in the Adopt-a-Road Program, including maintaining the appearance of a specific segment of the County roadway system, namely, County Road No. 135, Airport Access Road, Town of North Castle and Village of Rye Brook, New York, from Route 120 intersection to Old Lake Street, a length of 0.86 miles, from 4/1/10 – 3/31/12. (Agreement No. 10-904)

J. Hsu

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

13. (8112) **DPW** - Permit Agreement with Three D Industrial Maintenance Corp., Hawthorne, for participation in the Adopt-a-Road Program, including maintaining the appearance of a specific segment of the County roadway system, namely, County Road No. 144, West Lake Drive, Town of Mount Pleasant, New York, from Columbus Avenue to Kensico Avenue, a length of 0.75 miles, from 4/1/10 – 3/31/12. (Agreement No. 10-905)

J. Hsu

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

14. (8113) **DPW** - Permit Agreement with Three D Industrial Maintenance Corp., Hawthorne, for participation in the Adopt-a-Road Program, including maintaining the appearance of a specific segment of the County roadway system, namely, County Road No.29, Commerce Street, Town of Mount Pleasant, New York, from Taconic Parkway to Route 141 intersection, a length of 1.74 miles, from 4/1/10 – 3/31/12. (Agreement No. 10-906)

J. Hsu

Mr. Jenkins made some comments. Please refer to tape.

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

15. (8114) **DPW** – Contract No. 05-544, with ELQ Industries, Inc., for Rehabilitation of Paxton Avenue Bridge and Bronx River Parkway Bridges Over the Bronx River, City of Yonkers and Villages of Bronxville and Scarsdale, New York. Accepted completed work and approved Final Contract Amount of \$751,951.

J. Hsu

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

16. (8115) **DPW** - Contract No. 06-551, with ELQ Industries, Inc., for Rehabilitation of Quaker Ridge Road Bridge Over Pine Brook Boulevard and Sheldrake River, City of New Rochelle, New York. Accepted completed work and approved Final Contract Amount of \$1,583,397.

J. Hsu

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

17. (8116) **DPW** - Contract No. 08-524, with ELQ Industries, Inc., for Rehabilitation of Three Cell Culvert at Brick Hill Road over Plum Brook, Town of Somers, New York. Accepted completed work and approved Final Contract Amount of \$333,015.

J. Hsu

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

18. (8117) **DPW** – Contract No. 09-513 with Carlin Contracting Co., Inc., for Nitrogen Removal Improvements, Mamaroneck Wastewater Treatment Plant, Mamaroneck, New York. Approved the eighteen (18) listed subcontractors.

J. Hsu

Mr. Jenkins made some comments. Please refer to tape.

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

19. (8333) **DPW** – Awarded Emergency Contract No.10-209 to NUA Construction Corp., (WBE), Harrison, in the amount of \$183,500 for Emergency Roofing Repairs, Ice Casino, Playland Park, Rye, New York.

J. Hsu

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

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.



(Jo Mary Vieira – Secretary)

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

Dated 3/26/10



Jo Mary Vieira, Secretary
Board of Acquisition & Contract