

**MINUTES OF THE MEETING OF THE  
COUNTY OF WESTCHESTER  
BOARD OF ACQUISITION AND CONTRACT  
HELD ON THURSDAY, MAY 5, 2011 AT 11:00 A.M.**

Acting County Executive	Kevin Plunkett
Chair, Board of Legislators	Ken Jenkins
Commissioner of Public Works and Transportation	John Hsu
Deputy County Attorney	Jim Robertson
Budget	Pat Haggerty
Deputy Commissioner, Dept. of Finance	Dennis Kelly
County Executive's Office	Bill Mooney
County Executive's Office	Christine Sculti
Board of Legislators	Anne Reasoner
Board of Legislators	Olivia Rhodes
Board of Legislators	Larry Goldstein
Board of Legislators	Barney Molloy
Secretary BAC	JoMary Vieira
Assistant Secretary BAC	Joan Cocciardi

**Mr. Plunkett said, "The County Executive is out of the office today and has asked me as deputy to chair this meeting, and therefore I will do so."**

**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.**

**Acquisition & Contract.** Minutes of the meeting of 4/28/11 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 said, "Before we begin this meeting there is a resolution on the Agenda, Item 4 #18116, I am going to make a motion to table for one week."**

**Mr. Hsu seconded the motion.**

**Mr. Plunkett said, "Let me make one observation for the Chairman. Last week I was not here but I understand the County Executive indicated that there was a specific resolution from Social Services on Cornell Cooperative Extension where there was a question of reconsideration. The County Executive said he would get some information. Ms. Sculti has been able to get a packet for you with information from our Department of Social Services with respect to their concerns over some of the documentation and processes that CCE is using. So I just want to put that on the record."**

**Mr. Jenkins said, "Thank you. That was one of my follow-up notes from last week because we did receive that piece of documentation from CCE and we did present that to the Board last week for reconsideration for discussion specifically since the funding for this particular program is 100% grant funded as opposed to anything else. I would suspect we would have to work through the documentation to determine that. Our concern is that we have received funding from the Federal**

Government until September 2011 and if there was some other issues, we would want to address them prior to entering into a contract which was the issue.”

Mr. Plunkett responded, “You can read the Social Services Department’s letter with the attachments.”

Mr. Jenkins said, “Absolutely. On the items we had laid over from last week, item 1 # 18075, Invest in Kids, the issue we had with that is according to the resolution, the arrangements were renegotiated which would be inconsistent with the Budget Act that was adopted. Specifically Section 16 of the Budget Act, Act No. 168 – 2010 (as amended) Section 16. Supplemental to the foregoing Section 3, and notwithstanding the foregoing Section 11, the full appropriations set forth in Miscellaneous Budget (52) including line 2081 (Invest in Kids programs) are hereby determined to be the amounts necessary and sufficient for the purposes designated and except upon the prior approval of the Board of Legislators Committee on Budget and Appropriations and where relevant shall be fully expended through contracts with not-for-profit organizations, including those set forth on the attached list of agencies and service providers. That would be inconsistent with this particular resolution and the law specifically in the Budget Act. There were some concerns about that particular item.”

Mr. Plunkett responded, “I think this question was asked of our Acting Department Head MaryKate and we will be getting a response to you on that.”

Mr. Jenkins said, “I appreciate that, but there should be no response from the Budget Act other than coming to the Budget and Appropriation Committee for a resolution and that what was enacted in the Budget Act.”

Mr. Plunkett responded, “I understand your position, we may not agree with it.”

Mr. Jenkins said, “Secondly, we had a question on the attachment in Schedule “A”. There is no attachment for the resolution itself, # 18075. We request when we do these resolutions as opposed to having 37 different items that people would have to sift through as part of the PDF for documentation that simply the schedule be attached.”

Mr. Plunkett asked, “Was that in the backup documentation?”

Ms. Rhodes responded, “It is in the backup documentation, but it’s not part of the actual resolution. So there are 38 other items, so if someone wanted to go and see this schedule my request is that once this resolution is passed, if it is passed today, the schedule be attached.”

Mr. Robertson said, “Is that the spreadsheet? I cut and pasted and put it into the resolution. You have to wait a while because it’s a big schedule and takes awhile to pop up on the screen and you have to scroll over and read it. It’s a wonderful schedule.”

Ms. Vieira said, “Yes, but then MaryKate attached all the resolutions as backup.”

Mr. Plunkett said, “It sounds like we can all work together to get this resolved.”

Mr. Jenkins said, “Item # 16, 18439, we held this over because we had some questions on Harquin Creative Group. It is our understanding from the research that was done, this data doesn’t belong to us anymore and the question I have, but I don’t see Marguerite here today, is to understand why this particular project was never part of IT, it seems like it was renegade project. It was pre Astorino administration. It seems that this one did not go through the IT process in which we

would have kept the data onsite. Now that we have the ability to have this particular data.”

Mr. Plunkett asked, “So you just want to know whether there has been any actual plan produced?”

Mr. Jenkins responded, “More importantly to make sure that the department, Social Services or any department, would check in with the IT department before we do this particular activity. In this case it is only an additional 2 months, but in our understanding and researching the data that these folks were gathering for marketing, does not pull into the county and, hopefully you would agree with me, we would have the ability to capture that data so we could utilize it in the future as opposed to having to pay somebody for our own data.”

Mr. Plunkett said, “I do agree that if it we are paying them it probably should be our data, but I don’t know enough about the history of it to know whether there was an exception in this case. So I think that what you are asking us is to confirm or not confirm that. Maybe that is a question for law. Whether or not the work product becomes ours?”

Mr. Robertson responded, “Work product would be ours. There is a general clause in all of our contracts, whatever they collect becomes ours. I don’t know, I don’t have the contract in front of me, whether that was accepted or not, because sometimes data is considered proprietary particularly by marketing agents. If they are not collecting it just for you, in essence what they are doing is running it through a database they already own; they won’t give you those rights.”

Mr. Plunkett added, “I think what the Chairman is asking at the end of this contract what do we get and why do we not get what we would like to get?”

Mr. Robertson responded, “It would depend again on the business deal that was cut.”

Mr. Jenkins said, “On item #18 18347 Public Safety to enter into a IMA with the City of Mount Vernon for a Mobile Interoperable Communications Equipment and Communications Van, we would request to hold this item for a week to be able to determine why the City of Mount Vernon, from the research that was done and Ms. Sculti’s information back to us, that this particular vehicle is used by the City of Mount Vernon four times a year and available to 14 other communities. It doesn’t seem like Mt. Vernon would be a central place for 14 communities being at the southern end of the county. Some additional research with the Dept. of Public Safety to understand if this is the right location to house this particular unit.”

Mr. Hsu responded, “Just as a point of information. This vehicle was purchased under the Spano administration. Was purchased through Homeland Security funds, as I recall. The vehicle was ordered and sitting in our garage for a year pending this legislation.”

Mr. Plunkett said, “Here is what I suggest. We adopt this today if that’s the will of the majority of the Board. I think what your raising is how this is best deployed. I think we need to go back to our Public Safety Department and find out how this is best deployed and if it can be deployed in a way that is more effective.”

Mr. Robertson said, “Then we would have to go back to the BOL again because they approved this IMA before it came to A&C.”

Mr. Plunkett said, “If we don’t think it was properly deployed, or our experts don’t think it is, whether it be George Longworth or Tony Sutton and they don’t think it is the proper use of this, then we will have to go back and just revisit our process to make sure it is used properly.”

Mr. Hsu responded, "One of the other issues with this vehicle is, I didn't have it registered to Westchester County pending this IMA because it would be registered with the City of Mount Vernon. So this vehicle right now is out in limbo."

Mr. Plunkett asked, "So it is not a county vehicle per se?"

Mr. Hsu responded, "The way I understood it, the vehicle showed up one day."

Mr. Jenkins said, "I would just request that we would hold it for a week. Just to be able to determine that since it has been sitting in a warehouse for a couple of months to take that extra week."

Mr. Hsu responded, "Keep in mind this is an outside funding source. We would have to go back and possibly even amend the grant application with Homeland Security by virtue of the fact that this was identified in the application as being a vehicle for the City of Mount Vernon. So there were a lot of logistical issues involved."

Mr. Plunkett said, "I see its \$609,650 from the Office of Homeland Security and it's for a 3 year term commencing July 1, 2007. I am going to suggest that we move forward with it. You raised some very legitimate concerns. Let us find out whether we can do it, whether we should do it because if we do, we need to go back to the whole process no matter what. You guys have already passed the IMA, right?"

Mr. Robertson said, "As John points out in the Homeland Security agreement when you apply for these things, you are locked into the terms of the grant agreement."

Mr. Plunkett said, "I think we have to show good faith and move forward. Duly noted."

Mr. Jenkins said, "Just to make sure the 14 communities could be listed in the resolution as well."

Mr. Jenkins continued "On # 20 18490, was whether there was a connection to the Department of Social Services program that deals with whether or not we reached out through the One Stop Program."

Mr. Hsu responded, "Donovan Beckford's program is through a Department of Energy grant of which he is still administering that portion of the ARRA grant that the Board and A&C approved. This is a weatherization grant that Planning received from ARRA funds. I am actually passing this through for the Planning Department. They have worked very closely with certain communities for specific improvements and what we decided with them was we would split the program up into 2 zones, the northern zone and the southern zone by virtue of the fact that it was impossible to physically spend the three million dollars by June. They have asked for an additional extension because on the first bid, both sole bidders came in over budget so we have since gone back and modified the scope to hopefully bring in within budget."

Mr. Jenkins said, "Thank you for the additional information Commissioner Hsu. Again, we are trying to make sure we actually invest and use ARRA funding to do training for weatherization through the One Stop Weatherization."

Mr. Hsu responded, "The One Stop Weatherization was fronting the seed money to do the audit for various homeowners. The backside was that the contractors would then be given the opportunity to try and to market the audit report as opposed to going for another grant to pay for it. That was the goal."

Mr. Jenkins said, "I was actually in Washington on Tuesday, so we did not hold any items this week. We actually sent an email to that effect. We did have some questions that we would request follow-up on but we did not hold any items up this week because it was our delay in not being able to get our questions to Ms. Sculti in the timeframe we agreed to. More importantly there wasn't anything that we thought there was a problem with."

Mr. Jenkins continued, "One of the questions we had was on item #31 18610." Mr. Hsu commented, "I am passing this through for Planning." Mr. Jenkins said "That is an interesting point that we may have to address. Mr. Hsu is passing it through the Department of Public Works as opposed to the Department of Planning. Mr. Hsu responded, "We administer all construction work so ultimately what happens is that I issue payments and have my inspectors watching the job. Planning obtains certain grants with various environmental organizations, which we actually put through, since it is a Public Works job as deemed by the Law Department." Mr. Robertson commented that it has to be done by a licensed engineer of which the Planning department doesn't have any.

Mr. Jenkins said "The question we have on this particular item is that we went to the second bidder because the first bidder was clearly out of the ball park since they did not account for labor costs." Mr. Hsu advised that the company made an approximately \$100,000 error. Mr. Jenkins said "It seems strange that we had such a wide range of bids, including one of over \$ 2 million on this particular job and our friends Landi Construction bid \$ 635,000 on this job. We question the disparity of the bid and the response we received not from you Mr. Chairman or Ms. Sculti but from someone sitting in, was that Landi wasn't 'hungry' and it seems that they must be fed well now since they bid almost double the amount."

Mr. Hsu responded, "I can almost guess who the low bidder is going to be based on who has work with me. I don't read a crystal ball but that is the way the guys bid. If they need to get work to keep their constant employees employed they will bid hungry, they will bid aggressively to keep the guys working. If they have 3-4 jobs backlogged, they will end up being the high bidder on the next job. That's part of the industry. Mr. Plunkett asked "But is this an industry phenomena?" Mr. Hsu replied "Absolutely, a lot of guys submit bids just to make sure that we know they are still in the game but they are not interested in the job so they just put out an arbitrary number." Mr. Jenkins asked "Like \$2 million?" Mr. Hsu agreed. "Clearly this job was estimated at under half a million and then they return the plans and get their \$100 back. Ms. Vieira added, "If they don't bid, they don't get their money back." Mr. Hsu said "There is an ulterior motive for the \$100. So that's the motivation."

Mr. Jenkins continued," We do not have any questions about the job itself, but on item # 32 18611, we did have a question about the process as to who validates our WBE's and MWBE's because this particular company is listed as a WBE. This is not a question to be answered today, Mr. Chairman, but certainly Commissioner Hsu and your able staff can follow up on this to understand whose doing this certification for WBE'S and MWBE's. Are they state certified?"

Mr. Hsu said "We accept outside agencies that have the ability to certify and do the labor to establish MWBE's. We have maintained that through the Spano administration. We would not self-accredit since it is such a lengthy process and we don't have the staffing, so we accept Empire State Development Corporation, Metro North, New York State Thruway. All the neighboring sister partners work with us that have the accreditation process." Mr. Jenkins said "The question for this Mr. Chairman and again I appreciate the consideration in allowing this discussion at this point in time, since it is really off the track. For the WBE's and MWBE's, if someone is going backwards, let's say if someone is certified as a WBE ten (10) years ago, when we may not have been as aggressive in insuring that things happen. Maybe someone's spouse is listed on the Certificate of Authority but they're not really

doing that. I know that there was an aggressive push over the years to actually screen through those to determine if they were actually a MWBE or WBE. The MWBE's are usually the ones that are a little more crunchy. So I am just asking that we look at this."

Mr. Hsu responded, "We have about a 400 firm database that we carried through from the Spano administration and I think I am going to ask my secretary to go back to each of the 400 and tell them that in order to remain on our MWBE list, they need to send us the certification from one of the sister agencies that shows that have been accredited. That list may go from 400 down to 40 but I'm going to go through that process now."

Mr. Plunkett replied, "Commissioner Hsu, please coordinate with the Chief of Staff and his office because I know under the direction of the County Executive and myself, the Chief of Staff is working with Ms. Proft on the MWBE compliance issues. So maybe this is an opportunity to coordinate the efforts since this is a very important topic." Commissioner Hsu agreed. Mr. Jenkins thanked the chairman. Mr. Robertson indicated that there was a disclosure form in all the contracts in accordance with Chapter 308 of the laws of Westchester County; the form has been there since the law was adopted. Mr. Plunkett commented that it would be a fraudulent submission, the filing of a false instrument. Mr. Robertson said that they have to certify that they are certified by somebody and those are the forms that get registered by Ms. Proft and whoever had the job before her. The Secretary added that there is an actual form the contractor can attach to indicate where they received certification from. Mr. Jenkins commented, "This is so important and we know there has been some abuse in that scenario from our particular perspective The County is trying to do the right thing but you know that someone has to follow up and that is really what the issue is." Mr. Robertson said "I just want to be clear, we always comply with the law and we have always had something in our contract to do so. But what you are talking about are either civil or criminal investigations to see if someone is lying." Mr. Plunkett said, "I think Mr. Hsu hit the nail on the head. Working with Ms. Proft and the Chief of Staff, let's take a look at the companies that are listed as WBE and MWBE's, if it has been some years since we've looked at that list. Hopefully nobody has filed a document that would run afoul of whatever our investigation reveals." Mr. Jenkins said "A lot of times, Mr. Chairman, we think that people are following the process in good faith and things change along the way."

Mr. Jenkins continued, "Two last questions, Mr. Chairman. On item # 34, 18615, we did ask this but need to follow up. We just want to put on the record that the issue is not with item #34 but the language in the resolution when we say that we request authority to advertise for bids. In our language in the resolution it usually states that there are funds available for the county to advertise and actually we are asking for a more transparent process in this. I will give you a copy Mr. Chairman. It is really the language that we are utilizing in the template that the county utilizes for authority to advertise. We are requesting for transparency purposes that the first sentence of the resolution should be more specific and that the funding is provided for the advertising in the Operating or Capital budget and the project is in the Operating or Capital budget, because a lot of times, the way it reads is that the project or whatever activity we are having the resolution on, may or may not be in the budget but it is usually that the advertising money is in the budget and then we are moving forward with it."

Mr. Plunkett said, "Just to be clear on this, because the resolution that I am reading, #34 18615, the 2011 Operating budget contains funds for the above reference project. Wouldn't the project include the cost of advertising and the soft costs, etc?"

Mr. Robertson said "Having written the original language on this, the purpose of that sentence has nothing to do with the advertising. The purpose of that sentence was that Neil De Luca wanted a line in the resolution, when he was Deputy County Executive, proving to him from the Commissioner of Public Works that he had the

money in the budget to actually do the project before we advertised. Ms. Reasoner said, "Well Jim, with all due respect, that wasn't the case a few weeks ago and that line referred only to the advertisement." Mr. Robertson said, "We explained that to you in Preboard that was a one off. When they went in and correctly found out that they did not have sufficient funds for the job, they went in and amended that line for that one project to say that we just have enough for advertising, so that was a one off deal." Mr. Plunkett said, "The issue is when these come forward, we need to be clear that we either have the money for advertising and the project and if we don't have the money for the project then you are going to amend it like you did for the one off." Mr. Jenkins said, "Mr. Chairman, as opposed to us finding that, we respectfully request that it be in the resolution in the beginning." Mr. Roberson said "When budget first looked at it, originally it was just one little oversight there." Mr. Jenkins said "and that happens."

Mr. Jenkins said the last item is #37 18618 which is just a question. It's not a complaint or anything like that. It's more to Commission Hsu. I'm not sure if we do right now but when people bid on the job how many times does the person that comes in as the winning bidder have a subcontractor? It seems like a particular bidder always has a subcontractor." Commission Hsu responded "Well with PLA's the general contractor has to identify his prime subs, which would be the H, the P and the E and in a PLA agreement once he has established the vendor as part of his Contract, he cannot change his vendor without our approval. That was part of the Wicks Law reform issue. On projects under a million and half, he does not have to identify the subcontractor at the time of his bid. He subsequently comes in after the award and identifies his subcontractor. That is the way we have always done business. PLA's require that he identifies his subs up front but non PLA's he does not have to identify. A lot of times these guys are still shopping several vendors when they are not required to designate in the award resolution and that's just part of the construction business." Mr. Plunkett said "This Board approves every one of the subsequent vendors and that's what this resolution is." Commissioner Hsu agreed.

Mr. Jenkins said, "The question, Mr. Chairman is really more of when we have a bidder looking at the vendors' history to say this vendor 100% of the time, for all of their jobs whether they are one million or two million dollars or whatever, always has a subcontractor, not the same sub contractor but a sub contractor which may indicate to us that they are being appropriate. Mr. Plunkett said, "Isn't that the way the business works? Commission Hsu said "Absolutely. We reduced the PLA issue. We used to have a 51% with PLA's. Now, with the prime being included in the base we lowered the PLA's GC number down to 10-15%. Mr. Jenkins said, "The issue is about something that we spoke of last week. On that particular item we talked about the MWBE type of contractors and being able to give the award to roofing contractors and doing that in a smaller group. If you have a broker doing that work then the same kind of item would happen with the smaller vendors never having an opportunity because the broker is wheeling and dealing all the time. That is something for consideration when we talk about large reform issues. Other than that Mr. Chairman, the Board is prepared to vote."

Mr. Plunkett said "Thank you for your observations. I think they are all well thought out. Mr. Jenkins said that he wanted to sever item 1 – Invest in Kids. Thank you for the discussion from all of the members of the Board and all our staff. Unless there is any objection, Mr. Jenkins has made a motion to sever Item 1 for the purposes of the vote." Mr. Plunkett seconded the motion and the vote was unanimous to sever Item 1.

1. (18075) **CE/Youth Bureau** - Amend each of the thirty-one (31) agreements to provide services under the County's Invest In Kids Program, from 1/1/09 – 12/31/11, in order to reduce the amount not to exceed authorized under each agreement by the individual amounts specified.

M. Cabaleiro

**Laid Over by the Board of Legislators – 4/28/11**

**Mr. Plunkett moved the resolution, Mr. Plunkett and Mr. Hsu voted yes and Mr. Jenkins voted no.**

2. (18114) **CE/Youth Bureau** - Enter into an agreement with The Children's Village, Inc., to operate the Drop In Center program, in a total amount not to exceed \$72,000, from 1/1/11 – 12/31/11, under the listed terms and conditions.

M. Cabaleiro

**Laid Over by the Board of Legislators – 4/28/11**

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

3. (18115) **CE/Youth Bureau** - Enter into an agreement with The Children's Village, Inc., to operate the Sanctuary Program – Case Management Services component, from 1/1/11 – 12/31/11, in a total amount not to exceed \$82,450, under the listed terms and conditions.

M. Cabaleiro

**Laid Over by the Board of Legislators – 4/28/11**

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

4. (18116) **CE/Youth Bureau** - Request authority to enter into an agreement with Youth Theatre Interactions, Inc., to operate the Intimate Realities and After School Performing Arts Program, from 1/1/11 – 12/31/11, in a total amount not to exceed \$125,000, under the listed terms and conditions.

M. Cabaleiro

**Tabled by the Board of Acquisition and Contract until 5/12/11**

5. (18440) **CE/Office for Women** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with Hope's Door, Inc., Pleasantville, for non-residential domestic violence support services.

D. Balistreri

**Laid Over by the Board of Legislators – 4/28/11**

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

6. (18441) **CE/Office for Women** - Enter into an agreement with Hope's Door, Inc., for the provision of state mandated non-residential support services in accordance with the Department of Social Services Consolidated Services Plan Amendment for Non-Residential Services for Victims of Domestic Violence; and domestic violence education and prevention services for teen age youth via its school-based outreach program and Students Terminating Abusive Relationships Program, for a not to exceed amount of \$137,406, from 1/1/11 – 12/31/11. (County / \$81,877, New York State / \$33,882, Federal / \$21,647)

D. Balistreri

**Laid Over by the Board of Legislators – 4/28/11**

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

7. (18530) **CE/Office for Women** - Enter into an agreement with Pace University, acting by and through the Women's Justice Center of Pace University Law School, for the provision of legal consumer education via telephone counseling in matrimonial, employment, health care, domestic violence and elder law, including the development of educational publications in English and Spanish, and the maintenance of a legal center staffed by law students; in addition Pace will provide education and training to private attorneys who will, in return for such training, provide low cost matrimonial and elder law representation to low and middle income persons, from 1/1/11 – 12/31/11, for an amount not to exceed \$61,453.

D. Balistreri

**Laid Over by the Board of Legislators – 4/28/11**

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

8. (18362) **Information Technology** - Enter into an agreement (IT-1194), with Westchester County Historical Society, Elmsford, for the provision of professional consulting services, for a one year period, from 4/1/11 – 3/31/12, for a total not to exceed contract amount of \$81,000, under the listed terms and conditions.

M. Beirne

**Laid Over by the Board of Legislators – 4/28/11**

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

9. (18056) **Planning** - Amend agreements with Suburban Green Housing Development Fund Corp., for the acquisition and rehabilitation of the foreclosed properties located at 224 Union Avenue and 431 South Fifth Avenue both in the City of Mount Vernon, from 6/17/10 – 6/30/11, in order to change the expiration date from 6/30/11 to 7/31/11 for both properties.

E. Burroughs

**Laid Over by the Board of Legislators – 4/28/11**

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

10. (18348) **CE/Emergency Services** - Enter into an agreement with Phelps Memorial Hospital Center through the Hoch Center for Emergency Education, for the provision of training in the administration of Cardio Pulmonary Resuscitation and use of Automated External Defibrillation operation for adult, child and infant patients, with training being provided by Phelps to County employees who volunteer to be part of the Westchester County Public Access Defibrillation program, from 5/1/11 – 4/30/14, for a total contract amount not to exceed \$78,000, with the County reserving the right to terminate the agreement on thirty (30) days notice.

A. Sutton

**Laid Over by the Board of Legislators – 4/28/11**

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

11. (18175) **Social Services** - Amend an agreement with My Sisters' Place, Inc, for the provision of advocacy and support services to victims of domestic violence and their children referred to the agency by the Child Protective Services Division of the Department of Social Services, from 5/1/10 – 4/30/11, for an amount not to exceed \$252,460, by extending the end date of the agreement to 12/31/11; and by increasing the not to exceed amount by \$204,992, for a new total not to exceed amount of \$457,452, under the listed terms and conditions.

**Laid Over by the Board of Legislators – 4/28/11**

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

12. (18253) **Social Services** - Enter into agreements with the licensed and approved Voluntary Child Care Agencies, for the provision of institutional/group foster care and adoption services and the educational providers for the provision of educational services associated with out-of-home placements listed in Schedule "A", commencing on 7/1/11 and extending indefinitely until terminated with thirty (30) days prior written notice from either party to the other, for an aggregate amount not to exceed \$40,880,856 for the term 7/1/11 – 6/30/12, under the listed terms and conditions.

K. McGuire

**Laid Over by the Board of Legislators – 4/28/11**

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

13. (18256) **Social Services** - Amend an agreement with Mina Malin Consulting Group, Inc., to serve as the Green Project Manager for the Hudson Valley Green Talent Pipeline Program, from 10/1/10 – 4/30/11, in an amount not to exceed \$38,899, by extending the end date of the agreement from 4/30/10 to 6/30/11.

K. McGuire

**Laid Over by the Board of Legislators – 4/28/11**

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

14. (18257) **Social Services** - Amend the agreements with each of the three (3) listed agencies, for the purpose of providing training programs under the Hudson Valley Green Talent Pipeline Program throughout the Hudson Valley region, from 10/1/10 – 4/30/11, in an aggregate amount not to exceed \$98,602; by 1) extending the termination date of the contracts to 6/30/11; and 2) increasing the amount not to exceed for the contract with Hudson Valley Regional Council, Inc. by \$3,000, for a new total aggregate not to exceed amount of \$101,602.

K. McGuire

**Laid Over by the Board of Legislators – 4/28/11**

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

15. (18417) **Social Services** - Amend an agreement with the Yonkers Chamber of Commerce for the purpose of providing employment services for all employable Temporary Assistance customers, from 6/1/07 – 5/31/11, for an amount not to exceed \$5,833,066, by: 1) extending the end date to 9/30/11; 2) increasing the not to exceed amount by \$486,157 to a new total not to exceed amount of \$6,319,223; and 3) modifying the scope of services in order to provide employability assessments during first appointment with the Yonkers Chamber of Commerce case-manager within 10 days of referral.

K. McGuire

**Laid Over by the Board of Legislators – 4/28/11**

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

16. (18439) **Social Services** - Amend an agreement with Harquin Creative Group, in which Harquin Creative Group agreed to design and create a marketing and promotional plan, from 9/1/09 – 4/30/11, in an amount not to exceed \$97,700, by extending the end date of the agreement to 6/30/11 at no additional cost to the County.

K. McGuire

**Laid Over by the Board of Legislators – 4/28/11**

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

17. (17817) **Senior Programs** - Amend an agreement with Family Service Society of Yonkers, Inc., Elderserve Licensed Home Care Services Agency, Inc., and YWCA of White Plains and Central Westchester, Inc., pursuant to which each contractor was to administer breast and cervical cancer screening and counseling programs, health and wellness programs and medication management programs, for the period from January 1, 2009 through December 31, 2010, for the individual amounts not-to-exceed (and from the respective sources) specified in Schedule "A", in order to, **(1)** to modify the scope of services for each of the Three Agreements to reflect the fact that each contractor will administer either breast and cervical cancer screening, counseling programs, health and wellness programs, and/or medication management programs, rather than perform all of those services, and **(2)** exercise the County's second one-year renewal options under each of the Three Agreements and, as a result, **(a)** amend each of the Three Agreements to extend the term thereof from January 1, 2009 through December 31, 2010 to January 1, 2009 through December 31, 2011; **(b)** amend each of the Three Agreements to reflect the fact that the County will have no remaining options under each of the Three Agreements; and **(c)** amend each of the Three Agreements to increase the not-to-exceed amount authorized under each of the Three Agreements as follows: Family Service Society of Yonkers, Inc., increasing the not to exceed amount by an additional \$6,084; Elderserve Licensed Home Care Services Agency, Inc., increasing the not to exceed amount by an additional \$12,557; YWCA of Central and Northern Westchester, increasing the not to exceed amount by an additional \$27,847, under the listed terms and conditions.

M. Carpenter

**Laid Over by the Board of Legislators – 4/28/11**

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

18. (18347) **Public Safety** - Enter into a IMA to lease to the City of Mount Vernon the Mobile Interoperable Communications Equipment and Communications Van identified in Schedule "A", for use by the City's Police Department when responding to a call for Mutual Aid, and for responses to incidents in the City's Police Department when responding to a call for Mutual Aid, and for responses to incidents in the City, from 5/1/11 – 4/30/16, under the listed terms and conditions.

G. Longworth

**Laid Over by the Board of Legislators – 4/28/11**

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

19. (18380) **Probation** - Enter into an agreement with the New York State Division of Criminal Justice Services, to act as the monitoring agency for Leandra's Law, from 10/1/10 – 9/30/11, in an amount not to exceed \$142,407.

R. Pozzi

**Laid Over by the Board of Legislators – 4/28/11**

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

20. (18490) **DPW/Transportation** – Contract No. 10-235, for Weatherization Assistance Program, South County Housing Facilities, Westchester County, New York. Reject Bids and Re-Advertise for bids as 10-235-Rev. (1 bid received)

J. Hsu

**Laid Over by the Board of Legislators – 4/28/11**

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

21. (18578) **Information Technology** – Enter in to an agreement (IT-1190) with Howard-Sloan Search, Inc., d/b/a Celerity Technology Services, a division of Howard-Sloan Professional Search, NYC, for the provision of professional consulting services, from 4/1/11 – 3/31/12, for a total not to exceed contract amount of \$473,102, under the listed terms and conditions.

M. Beirne

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

22. (18569) **Planning** - Amend a 1/28/10 Resolution authorizing an agreement with the City of New York, to receive funds under the Housing Opportunities for Persons With AIDS Program, in order to devise and implement comprehensive strategies for meeting the housing needs of persons with HIV/AIDS and related diseases, to reflect a term of three years, from 4/1/09 – 3/31/12, in the amount of \$2,156,728.

E. Buroughs

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

23. (18570) **Planning** - Amend a 5/28/09 resolution with the Town of Greenburgh and Fairview Housing Development Fund Company, Inc., as nominee for Fairview Housing LLC d/b/a Greenburgh Housing its successor or assigns, for infrastructure improvements associated with The Fairview Manhattan Park Apts. Located at 90 & 100 Manhattan Ave. & 33 Oak Street, in the Town of Greenburgh, by changing the expiration date from 5/14/11 to 5/14/12.

E. Buroughs

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

24. (18574) **Planning** - Enter into an agreement with Human Development Services of Westchester, Inc., through the Community Development Block Grant Program, in the amount of \$85,000, for a Port Chester Neighborhood Preservation Company Housing Counseling Program, from 1/1/11 – 12/31/11.

E. Buroughs

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

25. (18575) **Planning** - Enter into an agreement with the Village of Port Chester, through the Community Development Block Grant Program, for a Bent Avenue Sidewalk Improvement Project, from 4/13/11 – 12/31/11, in the amount of \$198,000.

E. Buroughs

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

26. (18576) **Planning** - Amend an agreement with the Village of Dobbs Ferry, for a Beacon Hill Drainage Project, by increasing the amount an additional \$14,670, for a new total not to exceed amount of \$89,670.
- E. Buroughs
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
27. (18542) **Planning** - Enter into an agreement to purchase from Pleasantville Housing Development Fund Company, Inc., ("HDFC") a two-bedroom condominium unit located at 293 Manville Road, and identified on the tax map as Section: 106 Block: 1, Lot: 16/1001, for the purpose of affirmatively furthering fair housing as set forth in 42 U.S.C. Section 5304(b)(2), from 5/5/11 – 5/4/12, for an amount not to exceed \$212,500, under the listed terms and conditions.
- Buroughs/Mahon
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
28. (18633) **Health** - Amend agreements with various approved providers listed for the provision of 4410 Preschool Special Education Itinerant Teacher and Multidisciplinary Evaluation Services, for a total aggregate amount not to exceed \$950,000, by extending the term from 7/1/11 – 6/30/12, under the listed terms and conditions.
- C. Archbald
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
29. (18479) **College** – Contract No. WCC-11-893, for Hartford Hall Renovation/Rehabilitation, Westchester Community College, Valhalla, New York. Awarded to Low Bidder, Caladri Development Corp., Peekskill, in the amount of \$1,965,000, and approved C.S. Plumbing, Inc., Eastchester, and J.A. Lee Construction, Inc., Long Island City, as subcontractors. (8 bids received)
- J. Hankin
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
30. (18613) **DPW/Transportation** - Extend a lease agreement with EJM Building Services, LLC, for the use of Hangar 26 at the Westchester County Airport, from 1/1/12 – 12/31/16, for an initial rental fee of \$552,655 with annual increases of the greater of 3% or 100% of the Consumer Price Index (CPI – NY, NJ Urban consumers), under the listed terms and conditions.
- J. Hsu
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
31. (18610) **DPW/Transportation** – Contract No. 10-560, for Mamaroneck River Buffer Restoration, Saxon Woods Park, Towns of Harrison and Mamaroneck, Village of Scarsdale, and City of White Plains, New York. Awarded to Second Low Bidder, Galvin Brothers, Inc. /Madhue Contracting, Inc., a Joint Venture, Great Neck, NY, in the amount of \$322,060.50. (8 bids received)
- J. Hsu
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**
32. (18611) **DPW/Transportation** – Contract No. 11-516, for New Electrical and Communications Duct Bank, Westchester County Airport, Towns of Harrison and North Castle and Village of Rye Brook, New York. Awarded to Low Bidder, Yonkers Excavating Corp. (WBE), Carmel, in the amount of \$99,000. (10 bids received)
- J. Hsu
- Mr. Plunkett moved the resolution, which was duly seconded and unanimously approved.**

33. (18614) **DPW/Transportation** – Contract No. 05-549-GC, with Mace Contracting Corp., Performance Maintenance III, Ossining Wastewater Treatment Plant, Ossining, New York. Completed work and Final Contract Amount of \$5,307,527.

J. Hsu

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

34. (18615) **DPW/Transportation** – Contract No. 11-209, for Emergency Generator Service, Various Locations, Westchester County, New York. Advertise for bids.

J. Hsu

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

35. (18616) **DPW/Transportation** – Contract No. 11-501, for Interim Bridge Repairs and Related Work, Fulton Avenue Drawbridge over Hutchinson River, Village of Pelham Manor and City of Mount Vernon, New York. Advertise for bids.

J. Hsu

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

36. (18617) **DPW/Transportation** – Contract No. 11-513, for Security Improvements, Cerrato Satellite Bus Facility, Valhalla Campus, Valhalla, New York. Advertise for bids.

J. Hsu

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

37. (18618) **DPW/Transportation** – Contract No. 08-531, with Arben Group, LLC, for Shaft 22 Facility Improvements, Water District No. 1, Yonkers, New York. Approved RLJ Electric Corp., Peekskill, as a subcontractor.

J. Hsu

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

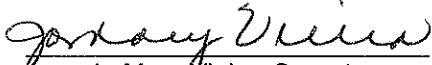
This meeting was recorded and an electronic copy of the minutes is on file with the Board of Acquisition and Contract.

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 5/11/11

  
\_\_\_\_\_  
Jo Mary Vieira, Secretary  
Board of Acquisition & Contract

REQUEST BY THE BOARD FOR MORE SPECIFIC DETAIL WHEN A RESOLUTION IS FOR ADVERTISING.

For resolutions which permit the County to Advertise, the Board respectfully requests that for transparency purposes the first sentence of the resolution should be more specific and state that funding is provided for

1. Advertising in the operating and(or) capital budget
2. The project in the operating and (or) capital budget
3. The cost of the project and advertising in the operating and (or) capital budget.