

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, NOVEMBER 1, 2012 AT 11:00 A.M.**

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|--|--------------------|
| County Executive | Robert P. Astorino |
| Chairman, Board of Legislators | Ken Jenkins |
| Commissioner-Public Works & Transportation | Jay Pisco |
| Deputy County Executive | Kevin Plunkett |
| Deputy County Attorney | Jim Robertson |
| County Executive's Office | Christine Sculti |
| County Executive's Office | Carl Pagano |
| Budget | Patricia Haggerty |
| Deputy Commissioner, Dept. of Finance | Dennis Kelly |
| Board of Legislators | Anne Reasoner |
| Board of Legislators | Larry Goldstein |
| Board of Legislators | Allie Moncada |
| Journal News | Elizabeth Ganga |
| Secretary BAC | JoMary Vieira |
| Assistant Secretary BAC | Joan Cocciardi |

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.

Mr. Astorino said, "In accordance with County policy to provide timely notice to this Board of emergency conditions that will require its approval of an emergency contract, I note the receipt and filing of a memorandum from Commissioner Lauro of an emergency situation that required an emergency contract to remove and dispose of liquid sludge from various sewage treatment plants, as the current contractor notified the County that it was unable to provide this necessary service."

Mr. Jenkins said, "Mr. Chairman, we will just note our normal objection. The Board has reviewed all the items and we are prepared to vote. We had a concern on item #5 which is the insurance for our helicopter because in our research on this particular item, we held it last week, we were advised last year when the Bell 407 the new one was replacing the Baby Bell, as we like to call it, we were told last year that we did no longer have that on May 18, 2011. There was not going to be an expansion in service and we would no longer have this particular helicopter. We do understand from Law that we still do have the helicopter and even though it is not flying it must be covered based on Federal guidelines. Mr. Robertson can explain that more if you would like Mr. Chairman."

Mr. Robertson responded, "Yes, we obtained that helicopter through the Federal government. As part of an agreement we are required to have insurance on it. Since it's on the ground right now we are required to keep ground coverage insurance on it until it's disposed of."

Mr. Jenkins said, "We are fine with that Mr. Chairman. Other than that we are prepared to vote. We will give this to the Secretary so she didn't have to review my speedy explanation of it."

Mr. Plunkett said, "Mr. Chairman, just to complete the record, 2 weeks ago the Board had placed in the record correspondence and communication regarding some of the procedures and processes and responses and so forth. We did take a look at it and I had Ms. Sculti prepare a report on it. So I would like to just have this marked for the record and we will provide a copy to both Mr. Jenkins and Mr. Pisco."

Mr. Astorino said, "Just note that the regular scheduled meeting for Thursday, Thanksgiving week is rescheduled to November 21st which is the Wednesday before at 11:00 a.m."

Acquisition & Contract. Minutes of the meeting of 10/25/12 and the SEQR Review for agenda items.

J. Vieira

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

1. (29537) **Social Services** - Enter into an agreement with Sound Shore Health System, Inc., to assign County employees to accept and process Medicaid applications on-site for persons seeking medical assistance from Sound Shore, from 10/15/12 – 10/14/13, for a total estimated cost of \$224,000, under the listed terms and conditions.

K. McGuire

Held Over By Board of Legislators – 10/25/12

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

2. (29854) **Parks – TABLED FOR 2 WEEKS (11/15/12)** Request authority to enter into a three-party Cooperation and Maintenance Agreement with the State of New York, acting by and through the Commissioner of Parks, Recreation and Historic Preservation, and the Jay Heritage Center, a not-for-profit educational corporation located in Rye, New York, to grant JHC a license to develop, manage, operate, maintain, secure and administer the Jay Property for park and recreational uses, for a term of ten (10) years, commencing upon approval by the Office of the New York State Comptroller.

O'Connor/Mahon

Held Over By Board of Legislators – 10/25/12

3. (29629) **DPW/Transportation** - Enter into an agreement with the New York State Department of Transportation for the receipt of \$1,676,017 in Mass Transportation Capital Projects Funds (Grant Agreement No. K007045), from 7/1/12 – 12/31/13, under the listed terms and conditions.

J. Pisco

Held Over By Board of Legislators – 10/25/12

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

4. (29745) **Board of Legislators** - Exercise the County's first option to renew the agreement with O'Connor Davies Munns & Dobbins, LLP, for the provision of an analytical review of and report on the proposed Westchester County budget, for an additional one-year term at a total amount not to exceed \$138,000, in order to extend the terms of the agreement, commencing 11/1/12 – 10/31/13.

K. Jenkins

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

5. (29669) **Law/Risk Management** - Enter into an agreement with Chartis through the brokerage firm of Marsh USA, Inc., NYC, to purchase Helicopter Hull and Liability Insurance, for an amount of \$108,202, from 11/4/12 – 11/4/13, under the listed terms and conditions.

R. Meehan

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

6. (29716) **Planning** – Release any rights in the real property located at 1-28 Louis Court in the Village of Rye Brook, necessary to subordinate the HOME Mortgage held by the County on the real property comprising the Grant Street Affordable Senior Housing Development and modify the terms of the promissory note secured by said mortgage, under the listed terms and conditions.

E. Buroughs

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

7. (29720) **Planning** – Amend the agreement with Somers Senior LP, for the property located at The Mews at Baldwin Place/24/26 Clayton Boulevard in the Town of Somers in order to release any rights in the Property deemed necessary to subordinate the HOME Mortgage on the real property comprising the Development, and modify the promissory note, under the listed terms and conditions.

E. Buroughs

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

8. (29500) **Social Services** - Amend an agreement with Westhab, Inc., to operate a shelter for employable single men at a facility known as the Vaughn Glanton Employment Residence located at 17 South Second Avenue, Mount Vernon, from 1/1/12 – 12/31/12, for an amount not to exceed \$1,039,301, by increasing the amount by \$65,775, for a new total not to exceed amount of \$1,105,076.

K. McGuire

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

9. (29590) **Social Services – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with Career Team, LLC, to provide Employment Related Program Services for DSS Temporary Assistance Customers, for an amount not to exceed \$941,000, from 4/1/12 – 3/31/13, by increasing the not to exceed amount by \$29,654, for a new total not to exceed amount of \$970,654.

K. McGuire

10. (29849) **District Attorney – OVER BY BOARD OF LEGISLATORS.** Request authority to amend an agreement with Firefly Ltd., d/b/a Firefly Migration, for the provision of consulting services in connection with the migration of its case management software system, for a one (1) year term, commencing on 12/20/10, in an amount of \$150,000, by retroactively extending the term of the agreement from 12/20/11 – 9/2/13, to enable Firefly to complete the training portion of the contract at no additional cost to the County.

J. DiFiore

11. (29632) **Public Safety** - Enter into an agreement with the United States of America, acting by and through its Drug Enforcement Administration authorizing Westchester County to continue participation in the Westchester County Drug Enforcement Task Force, from 9/30/12 – 9/30/13, under the listed terms and conditions.

G. Longworth

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

12. (29730) **Public Safety – OVER BY BOARD OF LEGISLATORS.** Request authority to enter into an agreement with the New York State Division of Criminal Justice Services, to accept Federal funds and participate in the Coverdell National Forensic Sciences Improvement Act, in an amount not to exceed \$22,484, from 10/1/12 – 9/30/13.

G. Longworth

13. (29326) **Probation – OVER BY BOARD OF LEGISLATORS.** Request authority to amend a grant agreement with The State of New York, to extend the termination date of the Grant Agreement and subcontracts through to 6/30/12, and increasing the amount of grant by \$302,938, for a total not to exceed amount of \$908,376, under the listed terms and conditions.

R. Pozzi

14. (29327) **Probation** - Amend an agreement with The Council of State Governments/American Probation and Parole Association, to participate in a Development of Risk Assessment Tools, Curriculum, and Training for Driving While Impaired Supervision project, from 7/1/11 – 6/30/12, for an amount not to exceed \$7,500, by 1) extending the term of the agreement for one (1) additional year, from 7/1/12 – 6/30/13; and 2) increasing the not to exceed amount an additional \$2,500, for a new not to exceed amount of \$10,000.

R. Pozzi

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

15. (29718) **DPW/Transportation – OVER BY BOARD OF LEGISLATORS.** Contract No. 09-513, with Carlin Contracting Co., Inc., for Nitrogen Removal Improvements, Mamaroneck Wastewater Treatment Plant, Mamaroneck, New York. Approval of Change Order No. 1 in the amount of \$2,780,000.

J. Pisco

16. (29719) **DPW/Transportation** - Amend Agreement No. 09-929 (a Multi-Phased Agreement) with Chas H. Sells, Inc., d/b/a WSP Sells, for engineering services in connection with the Rehabilitation of Ashford Avenue Bridge over I-87, Saw Mill River Parkway, and Saw Mill River, Ardsley and Dobbs Ferry, New York, for a fee of \$460,000, increasing the total maximum fee to \$1,040,621.

J. Pisco

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

17. (29721) **DPW/Transportation –** Contract No. 11-519, with BBR Contracting Corp., for Roof Replacement, Primary Settling Tank Area, Port Chester Wastewater Treatment Plant, Port Chester, New York. Completed work and Final Contract Amount of \$104,580.

J. Pisco

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

approved.

18. (29742) **DPW/Transportation** – Contract No. 10-520, with Petrillo Contracting Inc., for Resurfacing and Related Improvements, North Broadway (C.R. #87), Main Street to North Castle/White Plains Line A Distance of 1.51 Miles, City of White Plains, New York. Approved Sealcoat USA, Inc., Yonkers, and Verde Electric Maintenance Corp., Mt. Vernon, as subcontractors.

J. Pisco

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.


JoMary Vieira, Secretary


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

Dated 11/11/12


JoMary Vieira, Secretary

October 30, 2012

TO: Honorable Board of Acquisition and Contract

FROM: Thomas J. Lauro, P.E. 
Commissioner
Department of Environmental Facilities

RE: Emergency contract for the hauling of liquid sludge from various Wastewater Treatment Plants, Westchester County

In accordance with the policy to immediately notify your Honorable Board of an emergency condition that will require its future approval of contracts to address such emergency, this is to advise that the Department of Environmental Facilities required an emergency contract for the hauling and disposal of liquid sludge from the Peekskill, Port Chester, Ossining and New Rochelle wastewater treatment plants. The Department was notified on the morning of October 30, 2012 by its current contractor, Spectraserv, that for various reasons caused by Hurricane Sandy it would be unable to provide service to haul and dispose of liquid sludge from the Westchester County wastewater treatment plants under contract EF-0909 which has previously been approved by your Honorable Board. At this time it is not known precisely how long it will take Spectraserv to be able to resume services to the County. However, Spectraserv's current estimate is approximately five (5) days.

Failure to continuously remove liquid sludge by truck from these County treatment plants would create an immediate danger to public health and safety and also to County property. It might also result in SPDES permit violations. Accordingly, the Department immediately had to seek an emergency disposal contractor

The Department contacted Naugatuck Environmental Technologies, LLC ("Naugatuck") and was able to come to an agreement on the temporary hauling and disposal of this liquid sludge. Naugatuck has an existing contract to haul a different type of sludge with one of the Department's plants and was thus in the unique position to quickly and readily handle this liquid sludge. The preliminary estimate is that the total cost of this contract will be approximately \$38,250. This estimate is based on the negotiated rate of 10.5 cents per gallon of liquid sludge hauled. It is estimated that approximately 10 trucks per day will haul a total of 350,000 gallons

of liquid sludge over a 5 day period. This price is within one cent of the existing contract price of 9.74 cents per gallon. There is also a fuel surcharge of up to \$30/truck load that will apply. This amount has been included in the above estimate of \$38,250. The additional cost of this contract as compared to the existing contract is estimated to be \$4,160.

I have consulted with the Law Department, which based on the facts related by the Department of Environmental Facilities, has determined that this is a condition which was unforeseen, which affects public property and the life, health, safety and property of the County's inhabitants and which requires immediate attention and therefore meets the legal requirements for an emergency contract.

When the term of this temporary emergency contract is completed and the final cost is determined, a form of Resolution requesting approval of this emergency hauling and disposal contract will be presented to your Honorable Board.

Thank you for your consideration in this matter.

Cocciardi, Joan

From: Reasoner, Anne
Sent: Thursday, November 01, 2012 11:32 AM
To: Vieira, JoMary; Cocciardi, Joan
Subject: Question to be placed in the written record per the Chairman

A&C 11/1/12

Law/Public Safety

Resolution 29669:

On October 27, 2011, your Honorable Board approved the purchase of Helicopter Hull and Liability Insurance from Chartis (formally known as the American International Group Inc.), through the brokerage firm of Marsh USA, Inc. of New York, NY for two helicopters, a Hughes OH-6 and a Bell 407, operated by the Department of Public Safety ("DPS"). The term for this agreement was November 4, 2011 through November 4, 2012. On that same date, an additional \$55,000 was approved in anticipation of placing a third helicopter on the policy. The third Helicopter, also a Bell 407, was purchased by DPS and added to the policy effective March 26, 2012. Further, the Hughes OH-6 was removed from service and insurance for that craft was reduced to "ground coverage" only.

On May 18, 2011 The Board asked whether there would be an expansion of services with the purchase of the new Bell 407 helicopter. The answer we received is highlighted below in Yellow. Since the response below stated that the new helicopter "would replace the 1967 OH-6" why does the County still own the OH-6 and why are we spending money to insure it?

From: Sculti, Christine
Sent: Wednesday, May 18, 2011 10:49 AM
To: Reasoner, Anne
Cc: Oros, George
Subject: FW: DES/DPS Responses -- Resolution # 18861 and 18733
Importance: High

Anne -

This is the balance of the helicopter responses:

Below is a breakdown of payments by SHSP grant year:

1st payment (April) - 20% (\$698,891.60) will come from **FY08 SHSP**
2nd payment (Tentative Aug) - 30% (\$1,048,337.40) payment will be a combined **FY09 (\$245,453.40)** and **FY2010 (\$802,884 SHS)**.
Final payment (Tentative Dec) - 50% (\$1,747,229.00) **FY2010 SHSP (\$1,002,032)** and **FY2010 SLETPP (\$745,197)** due upon acceptance of completed aircraft.
Total Contract Cost \$3,494,458.00

Also the maintenance costs with 600 hours of projected flight time the maintenance costs for a new Bell 407 helicopter outside of warranty will be approximately \$90,000 each year for three years. Total fuel cost is an additional \$70,000. A portion of the maintenance cost may be covered by grant funding but it is unknown how much at this time.

Finally, there is no expansion of services with the purchase of the new Bell 407. It will replace the 1967 OH-6 currently in service. The OH-6 is need of a major overhaul that is not worth the investment in the aging airframe. It will simply

standardize the unit with the same helicopters versus two different craft. As for performance, the only documentation DPS has is the side-by-side comparison provided to you on Friday at 3:45 PM (see below).

1. Why has the OH-6 not been disposed of as previously planned?
2. What purpose does the OH-6 serve?
3. Why is ground coverage needed?

Clerk

This is to respond to Chairman's October 18, 2012 submission to the A&C Board, which was a copy of Ms. Reasoner's October 17, 2012, 4:17pm e-mail to Christine Sculti.

Number 1: The responses to 10/18/12 A&C was sent Wednesday, October 17, 2012 at 7:42pm to Ms. Reasoner, Mr. Cabibbo and Ms. Rhodes (see * attached page 1 through 5 numbers located top right).

In addition, according to research from January 2012 to present the assertion that the BOL has followed the agreed upon protocol to submit questions for A&C by 5:00 pm on the prior Thursday is not accurate. Below is a brief outline of those submission dates and times that were located:

- A&C 1/12/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 1/10/12 3:33pm
- A&C 1/19/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Wednesday 1/18/12 1:07pm
- A&C 2/2/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Wednesday 2/01/12 5:28pm
- A&C 2/9/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 2/7/12 4:52pm
- A&C 2/23/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Friday 2/17/12 4:38
- A&C 3/1/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Monday 2/27/12 5:39 pm
- A&C 3/8/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Wednesday 3/7/12 9:48am
- A&C 3/15/12 Preboard questions submitted to Christine Sculti from David Cabbibo, Wednesday 3/14/12 12:21pm
- A&C 3/22/12 Preboard questions submitted to Christine Sculti from David Cabbibo, Monday 3/19/12 5:39pm
- A&C 3/29/12 Preboard questions submitted to Christine Sculti from Anne Reasoner, Tuesday 3/27/12 5:42pm
- A&C 4/12/12 Preboard questions sent to Christine Sculti from David Cabibbo, Wednesday 4/11/12 9:06am
- A&C 4/19/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Monday 4/16/12 5:05pm
- A&C 4/26/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 4/24/12 1:36pm
- **A&C 5/3/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Thursday 4/26/12 1:58pm**
- A&C 5/17/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 5/15/12 4:00pm
- A&C 5/24/12 Preboard questions submitted to Christine Sculti from Anne Reasoner, Wednesday 5/23/12 3:21pm
- A&C 5/31/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 5/29/12 11:53 am
- A&C 6/7/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 6/5/12 11:16am

- A&C 6/14/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 6/12/12 5:07pm
- A&C 6/21/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 6/19/12 12:00pm
- A&C 7/5/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Friday 6/29/12 4:06pm
- A&C 7/12/12 Preboard questions submitted to Christine Sculti from Anne Reasoner, Wednesday 7/11/12 2:49pm
- A&C 7/19/12 Preboard questions submitted to Christine Sculti from Anne Reasoner, Friday 7/13/12 10:47am
- A&C 7/26/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 7/24/12 9:56am
- A&C 8/2/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 7/31/12 3:35pm
- A&C 8/9/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Wednesday 8/08/12 11:29am
- A&C 8/16/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Monday 8/13/12 11:26am
- A&C 8/23/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Friday 8/17/12 10:00am
- A&C 8/30/12 Preboard questions submitted to Christine Sculti from Anne Reasoner, Wednesday 8/29/12 11:55am
- A&C 9/13/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Monday 9/10/12 5:07pm
- A&C 9/20/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 9/18/12 11:04am
- A&C 9/27/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Tuesday 9/25/12 3:12pm
- **A&C 10/4/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Thursday 9/27/12 4:59pm**
- **A&C 10/11/12 Preboard questions submitted to Christine Sculti from Anne Reasoner, Thursday 10/04/12 4:08pm**
- **A&C 10/18/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Thursday 10/11/12 3:28pm**
- **A&C 10/25/12 Preboard questions submitted to Christine Sculti from David Cabibbo, Thursday 10/18/12 6:02pm**

Note: Above does not include information for 1/26/12, 2/16/12, 4/5/12, 5/10/12, and 6/28/12 but based on 36 dates the BOL has only met the Thursday submission date approximately 14% of the time (highlighted red above). This means 86% of the time they were not submitted according to protocol with a breakdown of 25% questions submitted one day prior; 36% two days prior; 14% three days prior and 11% four days prior.

Number 2: Responses to additional questions on added starters received Thursday, October 11th 1:49pm, were sent Thursday, 10/18 at 9:09am to Ms. Reasoner (see ** attached page 6 number located top right).

Number 3: Responses to follow-up questions received Wednesday, October 10th were sent Thursday, 10/18 at 9:09am to Ms. Reasoner (see *** attached page 6 through 7 numbers located top right).

Sculti, Christine

*
From: Sculti, Christine
Sent: Wednesday, October 17, 2012 7:42 PM
To: Reasoner, Anne; Cabibbo, Davide; Rhodes, Olivia
Cc: Oros, George
Subject: RESPONSE: 10/18/12 A&C Preboard Questions Seniors 29474, 29476, 29477, Labs and Research 29480,29481 Public Safety 29397, DPWT 29443, 29437, 29438, 29439

Anne -
Here's this week's responses.
Thanks,
Christine

From: Egan, Jessica
Sent: Wednesday, October 17, 2012 05:39 PM
To: Sculti, Christine
Subject: FW: 10/18/12 A&C Preboard Questions Seniors 29474, 29476, 29477, Labs and Research 29480,29481 Public Safety 29397, DPWT 29443, 29437, 29438, 29439

A&C 10/18/12

Seniors

Resolution 29474, 29476:

The Agreement, as amended by the First Amendment, (the "Amended Agreement") has been funded solely by grant funds (the "Grant Funds") from the New York State Office for the Aging ("NYSOFA"). The County was recently notified by NYSOFA that it has authorized the County to continue to utilize the remaining portion of the Grant Funds, but only for an additional three (3) months, through June 30, 2012.

What is the future of the program?

RESPONSE: We anticipate another grant for materials. The trainers are all volunteers that we have trained to use the curriculum. The program is still very active and on-going.

Resolution 29477:

The Department will enter into short-form agreements for the program period April 1, 2012 through March 31, 2013 with 13 municipalities for the entire grant amount. Since each agreement will be for less than \$20,000, they do not require the prior approval from your Honorable Board.

The resolution states "13 Municipalities" and the budget lists nine, please explain.

RESPONSE: There are only 9 municipalities getting AAA transportation money. The resolution was adjusted on 10/12/12 to reflect the appropriate number of municipalities receiving funding.

Labs and Research

Resolution 29480:

The objective of this resolution is to accept Federal and State funding to provide the Westchester County Medical Examiner, Law Enforcement and Hospital community with timely and quality scientific results from the evidence submitted to the Division of Forensic Toxicology. The analyses include Postmortem, Human Performance (DWI/DWAI), Drug Facilitated Sexual Assault (DFSA) and hospital casework. Timely analyses are extremely important for prosecution. The Human Performance results for DWI/DWAI cases provide the citizens of Westchester County a higher degree of public safety. For Medical Examiner cases, toxicological results are important in determining the cause of death and impact on various criminal and liability cases affecting the community as well as relatives of the deceased. The Department will monitor and report the progress of this Agreement in quarterly progress reports provided to the granting authority.

1. How will the reduction in funding impact testing?

RESPONSE: It will not impact testing

2. Will the County supplement the difference in the grant funding?

RESPONSE: No, the department has obtained an additional NYS Highway grant to defer costs.

Resolution 29481:

The objective of this resolution is to accept Federal and State funding to provide the law enforcement community of Westchester County with increased output and faster turnaround of the evidence submitted to the Department's Division of Forensic Sciences. Faster turnaround and its related reduction of backlogged cases will allow user agencies to investigate crimes in a more efficient and timely manner and provide the citizens of Westchester County a higher degree of public safety. Elements of this program also provide for using the grant money to purchase equipment, service contracts for laboratory instrumentation, evidence databases, and supplies to meet new accreditation requirements, training and scientific literature for these purposes. The Department will monitor and report the progress of this Agreement in quarterly progress reports provided to the granting authority.

1. How will the reduction in funding impact testing?

RESPONSE: It will not impact testing

2. Will the County supplement the difference in the grant funding?

RESPONSE: No, the previous grant award included higher funding for equipment.

Public Safety

Resolution 29397:

Authority is sought for the County of Westchester (the "County") to enter into an agreement commencing October 1, 2012, and terminating September 30, 2013, with the United States of America, acting by and through its Drug Enforcement Administration ("DEA") permitting Westchester County, acting by and through its Department of Public Safety, to continue participation in the Tactical Diversion Squad Task Force ("Task Force"). This participation consists of the assignment of one (1) detective to the Task Force under the supervision and control of the DEA Supervisory Special Agent assigned to the Task Force. The agreement provides for reimbursement of a high percentage of overtime expenses for participating agencies.

1. How much revenue was received last term?

RESPONSE: As noted above, the revenue represents the reimbursement of overtime expenses. The amount received over the prior two year agreement was \$34,404.50 based on a maximum of \$17,202.25 per year..

2. The budget box reflects Federal aid. The resolved clause refers to the NYS budget. Are revenues Federal Aid or State Aid?

RESPONSE: The revenues are Federal Aid.

Public Works and Transportation

Resolution 29443:

The approval of one (1) Subcontractor has been requested by Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 for the above referenced contract.

In the backup documentation the goal amount for MBE and WBE is double that of the proposed amount. Please explain

RESPONSE: As indicated on the M/WBE Utilization Plan, Arben is requesting a waiver for specialty equipment. The plan has not yet been approved by NYSEFC (New York State Environmental Facilities Corporation).

Resolution 29437:

The 2012 Capital Budget contains funds for the above referenced project.

Please provide the bond act approving this expenditure.

RESPONSE: Bond Act# 90-2009

Resolution 29438, 29439:

The 2012 Operating Budget contains funds for the above referenced project.

1. What is the approximate cost of each project?

RESPONSE:

- Res. 29438: \$300,000/3 yr. total
- Res. 29439: \$105,000/3 yr. total

2. What was budget in 2012 for each project?

RESPONSE:

- Res. 29438: Contract 12-225 is a new service contract for fire suppression systems installed at the County's radio tower sites (construction completed by 12/31/12)
- Res. 29439: budget for Andover DDC systems in 2012 was \$35,000

From: Cabibbo, Davide
Sent: Thursday, October 11, 2012 03:28 PM
To: Sculti, Christine
Cc: Reasoner, Anne; Rhodes, Olivia
Subject: 10/18/12 A&C Questions

A&C 10/18/12

Seniors

Resolution 29474, 29476:

The Agreement, as amended by the First Amendment, (the "Amended Agreement") has been funded solely by grant funds (the "Grant Funds") from the New York State Office for the Aging ("NYSOFA"). The County was recently notified by NYSOFA that it has authorized the County to continue to utilize the remaining portion of the Grant Funds, but only for an additional three (3) months, through June 30, 2012.

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Labs and Research

Resolution 29480:

The objective of this resolution is to accept Federal and State funding to provide the Westchester County Medical Examiner, Law Enforcement and Hospital community with timely and quality scientific results from the evidence submitted to the Division of Forensic Toxicology. The analyses include Postmortem, Human Performance (DWI/DWAI), Drug Facilitated Sexual Assault (DFSA) and hospital casework. Timely analyses are extremely important for prosecution. The Human Performance results for DWI/DWAI cases provide the citizens of Westchester County a higher degree of public safety. For Medical Examiner cases, toxicological results are important in determining the cause of death and impact on various criminal and liability cases affecting the community as well as relatives of the deceased. The Department will monitor and report the progress of this Agreement in quarterly progress reports provided to the granting authority.

3. How will the reduction in funding impact testing?
4. Will the County supplement the difference in the grant funding?

Resolution 29481:

The objective of this resolution is to accept Federal and State funding to provide the law enforcement community of Westchester County with increased output and faster turnaround of the evidence submitted to the Department's Division of Forensic Sciences. Faster turnaround and its related reduction of backlogged cases will allow user agencies to investigate crimes in a more efficient and timely manner and provide the citizens of Westchester County a higher degree of public safety. Elements of this program also provide for using the grant money to purchase equipment, service contracts for laboratory instrumentation, evidence databases, and supplies to meet new accreditation requirements, training and scientific literature for these purposes. The Department will monitor and report the progress of this Agreement in quarterly progress reports provided to the granting authority.

3. How will the reduction in funding impact testing?
4. Will the County supplement the difference in the grant funding?

Resolution 29397:

Authority is sought for the County of Westchester (the "County") to enter into an agreement commencing October 1, 2012, and terminating September 30, 2013, with the United States of America, acting by and

through its Drug Enforcement Administration (“DEA”) permitting Westchester County, acting by and through its Department of Public Safety, to continue participation in the Tactical Diversion Squad Task Force (“Task Force”). This participation consists of the assignment of one (1) detective to the Task Force under the supervision and control of the DEA Supervisory Special Agent assigned to the Task Force. The agreement provides for reimbursement of a high percentage of overtime expenses for participating agencies.

- 3. How much revenue was received last term?
- 4. The budget box reflects Federal aid. The resolved clause refers to the NYS budget. Are revenues Federal Aid or State Aid?

Public Works and Transportation

Resolution 29443:

The approval of one (1) Subcontractor has been requested by Arben Group LLC, 175 Marble Avenue, Pleasantville, New York 10570 for the above referenced contract.

In the backup documentation the goal amount for MBE and WBE is double that of the proposed amount. Please explain.

Resolution 29437:

The 2012 Capital Budget contains funds for the above referenced project.

Please provide the bond act approving this expenditure.

Resolution 29438, 29439:

The 2012 Operating Budget contains funds for the above referenced project.

- 3. What is the approximate cost of each project?
- 4. What was budget in 2012 for each project?

Dave Cabibbo
 Fiscal Anayst
 Westchester County Board of Legislators
 p. (914) 995-2843

6

Sculti, Christine

* * *
From: Sculti, Christine
Sent: Thursday, October 18, 2012 9:09 AM
To: Reasoner, Anne
Cc: Oros, George
Subject: RESPONSES: Added starters 29738 and 29739 for 10.11.2012 A&C

Anne - Here's the responses to all the follow-up questions:

Additional questions

An RFP was issued in March for homeless prevention services. Based on responses, a resolution (#28567) was drafted which awarded CLUSTER \$200,000 to provide administer a tenant eviction program. The aforementioned resolution was withdrawn and funding was prorated among four agencies.

1. Given that there are less than twelve weeks between contract authorization and termination, why was contract administration changed from one vendor to four?

R: With the limited time left, it would be easier for four agencies to be able to process the funds to address the client's needs.

2. Why is there a need for an exemption from the procurement policy when the top four RFP respondents were awarded contracts?

R: Working with the County Attorney's office, it was determined that the best course of action was to request an exemption, since there was not enough time to reissue the RFP.

* * * Resolution 29292, 29294, 29293, 29295:

The 2012 Operating Budget contains funds for the above referenced project.
What are the assumed costs for each project?

RESPONSE:

- Res. 29294 Est. cost: \$375,000 (3 year total) **Advertise- Contract 12-230, Environmental Testing & Monitoring Services**
In 2009 the County paid 232,025 for a 3 year contract. Why is the estimated amount for a new 3 year contract increasing by over 50%?

Contracts 12-229 Environmental Abatement Services and Contract 12-230 Environmental Testing and Monitoring Services have been packaged differently from the previous contracts to meet industry standards, specifically the environmental testing has been shifted from the abatement contract to the air monitoring contract. Additionally, the term for Contract 12-229 Environmental Abatement Services has been extended to the County's standard 3 years. Financially, the estimate for both new contracts is at \$1,050,000 which would be similar to the \$1,016,000 for the previous contracts (assuming that both had run for 3 year periods).

Res. 29293 Est. cost: \$675,000 (3 year total)**Advertise Contract 12-229, Environmental Abatement Services**
On 10/8/2009 a contract was approved for a period from 1/1/2010 to 12/31 2011 --- a 2 year contract for 588,800. This contract is for 3 years and the estimated increase is only 15%.

Is the same amount of work being done for an additional year (33% more time) for only 15% more?

Contracts 12-229 Environmental Abatement Services and Contract 12-230 Environmental Testing and Monitoring Services have been packaged differently from the previous contracts to meet industry standards, specifically the environmental testing has been shifted from the abatement contract to the air monitoring contract. Additionally, the term for Contract 12-229 Environmental Abatement Services has been extended to the County's standard 3 years. Financially, the estimate for both new contracts is at \$1,050,000 which would be similar to the \$1,016,000 for the previous contracts (assuming that both had run for 3 year periods)

Res. 29295 Est. cost: \$125,000 **Advertise Contract 12-238, Replacement of Recreation Room HVAC, Coachman Center (22-8900/8910-5850)**

Why is this an operating cost and where is it budgeted in the operating budget in 2012?

The replacement is needed before the warm weather in 2013. To treat it as a capital budget item would mean the repair/replacement would not take place until 2014 at the earliest. Inasmuch as we did not anticipate it breaking down, we did not budget it in 2012 and have had to fund it this year as an additional operating expense of the shelter.

Public Works and Transportation

Resolution 29292, 29294, 29293, 29295:

The 2012 Operating Budget contains funds for the above referenced project.

What are the assumed costs for each project?

RESPONSE:

- Res. 29292 Est. cost: \$165,000 (3 year total)
- Res. 29294 Est. cost: \$375,000 (3 year total)
- Res. 29293 Est. cost: \$675,000 (3 year total)
- and Res. 29295 Est. cost: \$125,000

Resolution 29289, 29297, 29296, 29322:

The 2012 Capital Account contains funds for the above referenced project.

Please provide the bond acts that approves each project.

RESPONSE:

- Res. 29289: Bond Act #119-2010
- Res. 29297: Bond Act #123-2011
- Res. 29296: Bond Act #136-2011
- Res. 29322: Bond Act #'s 96-12 (RGC18) & #95-12 (RGC20)

Resolution 29271

Authority to enter into a Lease Agreement with North Brook Realty Associates, a general partnership, having an office and place of business at 270 North Avenue, New Rochelle, New York 10801 for approximately 20,000 square feet of space at 270 North Avenue in the City of New Rochelle, New York, for a period of five (5) years commencing on January 1, 2013, at a base rental of \$417,000.00 for the first year of the agreement (Agreement No. 12-922)