

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, JUNE 6, 2019 @ 11:00 A.M.**

Deputy County Executive	Ken Jenkins
Chair, Board of Legislators	Benjamin Boykin
Budget Director	Larry Soule
Assistant Chief Deputy County Attorney	Tami Altschiller
Deputy Commissioner of Finance	Dennis Kelly
Director of Real Estate	Gary Friedman
County Executive's Office	Steve Bass
Budget	Pat Haggerty
Board of Legislators	Jaevon Boxhill
Board of Legislators	Greg Casciato
Board of Legislators	Dennis Power
DPW Intern	Nicolas Dispenza
Secretary BAC	Lisa Mrijaj
Assistant Secretary BAC	Joan Cocciardi

Mr. Jenkins presided.

Mr. Jenkins said, "For the record has the Secretary to the Board gone to the reception area to invite any members of the public who wish to attend today's meeting to come to the conference room?"

Ms. Mrijaj confirmed that she had done so.

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

Mr. Soule said, "I move to add item 17 (OnBase ID #70092) to the agenda. Resolution seeking authority to enter into an agreement with Airbnb, Inc. ("Airbnb") wherein Airbnb will, at no cost to the County, collect and remit to the County, the required room occupancy tax in accordance with Chapter 285 of the Laws of Westchester County for taxable room booking transactions that are completed on the Airbnb internet-based platform for accommodations located in the County, commencing July 1, 2019 and continuing for an indefinite term with either party having the option to terminate the agreement upon thirty (30) days' notice to the other party."

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

Mr. Soule continued, "I move to add item 18 (OnBase ID #70096) to the agenda. Resolution seeking authority to amend the Customer Installation Commitment Agreement with the New York Power Authority for the Steam Distribution Pipe Replacement, Public Labs Building, Valhalla Campus, Valhalla, New York. Under the terms of the Agreement, NYPA will be responsible for a feasibility study, design, construction management, equipment procurement, installation, final commissioning of system, disposal of waste, and financing in connection with the Steam Distribution Pipe Replacement at the Public Labs Building located on the Valhalla Campus in Valhalla, New York. The work will be completed at an additional cost of \$6,362,400, inclusive of associated interest costs, which will be paid by the County upon completion of construction over a period of ten (10) years."

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

Mr. Boykin said, "I do want to talk about this item that we received late yesterday relating to the Steam Distribution Pipe Replacement Public Labs Building Valhalla Campus in New York. As you know we have had issues out there we've rented a boiler that I think is costing us \$2 million using a thousand gallons of fuel a day. We have had leaks out there and they had to do additional work that looks like it will cost us an additional \$7.12 million. We just received this item and I just spoke with Bud Nicoletti just before this meeting. They want to be able to move forward immediately with this otherwise this work could stop. They tried to get a lot of stuff done before the cold weather sets in. I expressed my displeasure of receiving this item literally right before this meeting. The staff has not had a chance to fully and obviously go through and vet this. While we will let this go through, I have asked the finance staff at the Board and the finance staff with the County to get together and work through the finance and numbers and all and I just have to put on the record while we will let this go through. I think subsequent items like this we are going to take our time and do the appropriate due diligence. We understand that there are serious issues out there that have to be done but we also know that we also have to do our due diligence at the Board and at the County. Thank you."

Mr. Jenkins said, "Mr. Chairman thank you so much for the consideration, certainly on the department's behalf, the Public Works Deputy Commissioner Nicoletti did come late in the afternoon yesterday and we certainly understand with something that is \$6 million is not something that happened after 4:00 p.m. yesterday. We will continue to reprimand the department to make sure they are bringing the information to us sooner so that we are not in the kind of scenario that we are in and allow the Board of Legislators and everyone else to do the appropriate due diligence that's necessary because it seems that there is some numbers that don't seem to add up. Director Soule and certainly your staff, Mr. Casciato and Mr. Boxhill will take care of it and follow-up."

Ms. Mrijaj said, "I just want to introduce an intern, Nicolas Dispenza."

Mr. Jenkins said, "Mr. Dispenza thank you for attending on your summer internship. You had an exciting first meeting."

Mr. Jenkins said, "The other item I know that we wanted to discuss is the meeting for A&C scheduled for July 4th, we are going to move that meeting to July 3rd. Thank you."

Acquisition & Contract. Minutes of the meeting 5/30/19 and the SEQR Review for agenda items.

L. Mrijaj

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

1. (69704) **CE/Youth Bureau** - Enter into an agreement with Sister to Sister International, Incorporated (STSI) to operate its STSI: Still I Rise! Program from 1/1/19 – 12/31/19 in an amount of \$45,000.

Latimer/Harris-Madden

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

2. (70013) **County Attorney** – Enter into an agreement with the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, to serve in an "of counsel" capacity to the County Attorney, as needed, in connection with the bankruptcy filing by Standard Amusements LLC in the United States Bankruptcy Court for the Southern District of New York (Case No. 19-23061; the "Case"), from 6/3/19 and continuing until the County no longer has an interest in the Case, as the County may determine in its sole discretion; the County

determines, in its sole discretion, to cease participating in the Case; or the County otherwise terminates the Agreement, for a total amount not to exceed \$500,000, under the listed terms and conditions.

J. Nonna

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

3. (69684) **College** - Enter into an agreement with OLA Consulting Engineers, PC, 50 Broadway, Hawthorne, New York for design services for Contract No. WCC-19-909 Library Building Chiller Replacement, Westchester Community College, Valhalla in the amount of \$45,000 from 7/1/19 – 12/31/20.

B. Miles

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

4. (69683) **College** – Contract No. WCC 18-539-Rev for Peekskill Extension Site Janitorial Services, Westchester Community College, Westchester County, New York. Award to low bidder Divine Professional Cleaning Services, Inc. in the amount of \$155,120 (8 bids)

B. Miles

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

5. (69739) **College** - Extend Contract No. WCC 17-624 with Summit Security Services, Inc. to provide uniformed security services for Westchester Community College from 9/1/19 – 8/31/20 in the amount of \$2,544,772.10

B. Miles

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

6. (70032) **Emergency Services** - Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, to exempt from procurement an agreement with BCFS Health and Human Services.

J. Cullen

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

7. (69552) **Emergency Services** - Enter into an agreement with BCFS Health and Human Services to assist the County with the implementation of the long-term remedial work plan and with development of guidance documents and training programs associated with the County's emergency preparedness to ensure compliance with the Americans with Disabilities Act, 42 U.S.C. § 12131 et seq., and Section 504 of the Rehabilitation Act in an amount of \$57,644.08, for a one-year term commencing upon execution.

J. Cullen

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

8. (70037) **Finance** - Enter into a tri-party agreement for the custody of required collateral for deposits with Sterling National Bank and The Bank of New York Mellon as custodian, commencing upon execution.

A. Berg

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

9. (69705) **Health** - Award each of the 5 contracts for transportation of pre-school children with special needs to the listed operators for a term 9/1/19 - 8/31/24 in the listed amounts totaling \$30,682,240, under the listed terms and conditions

S. Amler

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

10. (69726) **DPW/Transportation** - Contract No. 19-506 Rehabilitation of Bronx River Parkway and Two Bridges (BIN 3348999 and BIN 3348950) From the Cross County Parkway to Scarsdale Road, A Distance of 2.3 Miles, Cities of Mount Vernon and Yonkers, New York. Award to low bidder Arben Group LLC, Pleasantville, New York in the amount of \$18,098,948. (6 bids)

H. Greechan

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

11. (69724) **DPW/Transportation** - Contract No. 15-523 Rehabilitation of June Road Bridge Over Titicus River (BIN 1037480) Town of North Salem, New York. Request authority to award to low bidder Abbott & Price, Inc., Millwood, New York in the amount of \$554,710. (6 bids)

H. Greechan

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

12. (69729) **DPW/Transportation** - Contract No. 19-207 for Maintenance Service of Fan Coil Units, White Plains Complex, White Plains, NY. Advertise for bids.

H. Greechan

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

13. (69727) **DPW/Transportation** - Contract No. 19-511 Roadway Resurfacing and Additional Improvements, Various County Roadways, Westchester County, New York. Award to PCI Industries Corp., Mount Vernon, NY in the amount of \$2,182,985.

H. Greechan

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

14. (70010) **CE/DPW/Transportation** – Amend a lease agreement with Spruce Spires Associates, LP for office space at 420 North Avenue, New Rochelle from 1/1/17 – 6/30/19 by, a) extending the term of the lease by two (2) years to a new expiration date of 6/30/21; b) increasing the size of the leased premises by an additional approximately 17,175 square feet on the first floor and 9,620 square feet on the second floor of the building to a new total of approximately 40,747 square feet; and c) specifying the rent and costs under the Lease effective July 1, 2019, such that the County will be responsible for payment of all utilities for the Leased Premises and pay a fixed monthly rent as follows: i.) a monthly rent of \$101,867.50 for the period from July 1, 2019 through June 30, 2020, and ii.) a monthly rent of \$104,923.53 for the period from 7/1/20 through 6/30/21 under the listed terms and conditions.

Friedman/Greechan

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

15. (68880) **Senior Programs** - Enter into agreements with the agencies listed on Schedule "A" for the purpose of providing consumer directed in-home services, and homemaker and housekeeper services to frail, homebound elderly County residents under the Expanded In-Home Services for the Elderly Program from 4/1/19 - 3/31/20 in an amount not-to-exceed \$1,941,742, under the listed terms and conditions.

M. Carpenter

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

16. (69961) **Social Services** - Enter into an agreement with The Young Women's Christian Association of Yonkers to provide and operate an emergency overnight shelter at 10 Saint Casimir Avenue, Yonkers for single male individuals with said shelter also providing daytime services on certain days as required from 7/1/19 - 6/30/20 in the amount of \$1,566,016, with the County having the sole option to extend the term of the agreement for up to 4 additional one year periods.

K. McGuire

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

17. (70092) **County Executive** - Enter into an agreement with Airbnb, Inc., to which Airbnb will, at no cost to the County, collect from hosts and remit to the County the required room occupancy tax in accordance with Chapter 285 of the Laws of Westchester County for taxable booking transactions that are completed on the Airbnb internet-based platform for accommodations located within the County, commencing on 7/1/19 and continuing for an indefinite term, with either party having the option to terminate the agreement upon thirty (30) days' notice to the other party.

G. Latimer

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

18. (70096)

DPW/Transportation – Amend the Customer Installation Commitment Agreement No. 18-914 with the New York Power Authority for the Steam Distribution Pipe Replacement, Public Labs Building, Valhalla Campus, Valhalla, New York. Under the terms of the Agreement, NYPA will be responsible for a feasibility study, design, construction management, equipment procurement, installation, final commissioning of system, disposal of waste, and financing in connection with the Steam Distribution Pipe Replacement at the Public Labs Building located on the Valhalla Campus in Valhalla, New York. The work will be completed at an additional cost of \$6,362,400, inclusive of associated interest costs, which will be paid by the County upon completion of construction over a period of ten (10) years.

H. Greechan

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

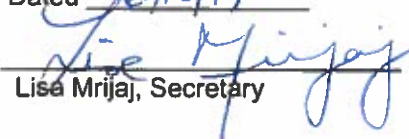
There being no further business, the Chair declared the meeting adjourned. All approved resolutions are on file electronically with the Board of Acquisition and Contract.



Lisa Mrijaj, Secretary

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

Dated 6/10/19



Lisa Mrijaj, Secretary