

**MINUTES OF THE MEETING OF THE
COUNTY OF WESTCHESTER
BOARD OF ACQUISITION AND CONTRACT
HELD ON THURSDAY, JUNE 10, 2021 @ 11:00 A.M.**

Deputy County Executive
Vice-Chair, Board of Legislators
Budget Director
Commissioner of Finance
Associate Chief Deputy County Attorney
Board of Legislators
Board of Legislators
Secretary BAC
Assistant Secretary

Ken Jenkins
Alfreda Williams
Larry Soule
AnnMarie Berg
Tami Altschiller
Greg Casciato
Lisa Hochman
Lisa Mrijaj
Joan Cocciardi

Mr. Jenkins presided.

Mr. Jenkins said, “For the record, this meeting is being conducted in accordance with Governor Cuomo’s Executive Order 202.1 as extended.

Mr. Jenkins continued, “I understand that the Budget Director wishes to make a motion.”

Mr. Soule said, “I move to add item 26 (Onbase ID 85672) Resolution for Authorization to Settle the Lawsuit entitled 105 Mt. Kisco Associates LLC, et al. v. Paul Carozza, et al. in the amount of \$42,500.00.”

Ms. Williams seconded the motion and it was unanimously approved.

Acquisition & Contract. Minutes of the meeting 6/3/21 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. (85090) **County Attorney** - Solicit bids by public advertisement for Service of Process in Family Court Proceedings, for a two year contract, commencing 8/1/21.

J. Nonna

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

2. (85625) **Board of Elections** – Enter into an agreement with the Hendrick Hudson School District to utilize the Blue Mountain Middle School in Cortlandt Manor as a polling site for all elections to be held in 2021, which provides as follows: “The County of Westchester Board of Elections hereby agrees to defend, indemnify and save harmless the Hendrick Hudson School District from and against any and all liability, loss, damages, claims for bodily injury and/or property damages, cost and expense including counsel fees, to the extent permissible by law, arising out of the use of the Blue Mountain Middle School Gym by the above named organization, its agents, servants, employees and/or its students.”

LaFayette/Colety

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

3. (84975) **College** – Contract No. WCC-19-910 with ABM Air Conditioning & Heating, Inc., for the Technology Building Data Center HVAC Replacement, Westchester Community College, Westchester County, New York. Completed work and Final Contract Amount of \$165,124.75.

B. Miles

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

4. (84973) **Planning/Administrative Services** - Enter into any and all agreements necessary to purchase approximately 1.38 +/- acres of real property located at 60 & 76 Point Street and 81 Ravine Avenue, City of Yonkers, from the current owner(s) of record in an amount not to exceed \$5,000,000 and to convey the Property to Point and Ravine, LLC, its successors or assigns, for One Dollar (\$1.00) and to grant and/or accept any and all property rights in connection therewith for the purpose of developing one-hundred forty-six (146) affordable rental units that will affirmatively further fair housing (“Affordable AFFH Rental Units”); for which the purchase and conveyance of the Property shall be by such deeds as shall be approved by the County Attorney; and that following the purchase of the Property, the County will file a Declaration of Restrictive Covenants against the Property requiring that the Affordable AFFH Rental Units to be constructed thereon be marketed and leased to households with incomes at or below 40% and up to 80% of the Westchester County area median income and will remain affordable for a period of not less than 50 years.

Drummond/Steers

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

5. (85116) **Emergency Services** - Amend a grant agreement with the New York State Division of Homeland Security and Emergency Services (“DHSES”) to accept a grant in an amount not-to-exceed \$709,794 to be used to assist the County in its efforts to prevent terrorist attacks and mitigate against man-made and natural hazards in compliance with the FY18 State Homeland Security Program for the period 9/1/18 – 8/31/21, by extending the term thereof through 8/31/22.

R. Wishnie

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

6. (85133) **Emergency Services** - Amend a grant agreement with the New York State Division of Homeland Security and Emergency Services, for an amount not to exceed \$1,324,829, to be used to enhance Westchester County’s capability to prevent, deter, respond to, and recover from threats or acts of terrorism and mitigate man-made and natural hazards in compliance with the FY18 Urban Area Security Initiative, for the period 9/1/18 – 8/31/21, by extending the term thereof through 8/31/22.

R. Wishnie

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

7. (85041) **Social Services** - Enter into an agreement with The Eliot at New Rochelle, LLC, for the provision of home care services to Medicaid recipients eligible for the Assisted Living Program, funded under Title XIX of the Social Security Act, for the period from 4/1/21 until the agreement is terminated pursuant to its terms that the agreement shall be on the current New York State-mandated model contract terms, with applicable County terms added to the model in the manner permitted by New York State; and under the agreement. The Eliot will not be paid by the County.

L. Townes

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

8. (85120) **Social Services** - Amend the agreement with Interfaith Council for Action, Inc. (“IFCA”), pursuant to which IFCA was to provide the Peekskill City School District and Hendrick Hudson Central School District zone (the “Zone”) with an ‘Emergency Housing Assistance Program,’ consisting of the provision of emergency housing units and related housing service to customers deemed eligible for temporary housing assistance by DSS, for an amount not to exceed \$3,837,057, for the period from 1/1/17 – 12/31/21, based upon the County, among other things, having exercised each of its original four one-year options terms after the initial one-year term, by, **1)** modifying the current agreement’s scope of services to require six (6) fewer emergency housing units in the Zone, all of which will be removed from the quantity to be provided in the Peekskill School District, **2)** decrease the current agreement’s specified annual not to exceed amount for the fourth option term, which is for the 2021 calendar year, by \$342,633, to a new not to exceed amount of \$564,320, and thereby reduce the total not to exceed amount of the current agreement to \$3,494,424, based upon the reduction in costs associated with the elimination of those six (6) Units for the fourth option term, and **3)** modify its specified budget for the fourth option term to reflect the reduced costs for the services to be provided.

L. Townes

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

9. (85419) **Social Services** - Enter into **1)** a grant agreement – CARA SFY 2020-21 with the New York State Office of Children and Family Services, Child Welfare and Community Services Division to accept federal funds in the total amount of \$90,000 (“CAPTA/CARA Funds”) under the Federal Child Abuse Prevention and Treatment Act (CAPTA) Comprehensive Addiction and Recovery Act of 2016 (CARA), to develop, implement and maintain the “Plan of Safe Care” program in order to improve the County’s response to families and infants affected by substance use disorders (both alcohol and drugs), for the period from 12/1/20 – 11/30/21; and **2)** enter into a sub-awardee agreement with the Westchester Institute for Human Development (“WIHD”), in an amount not to exceed \$133,760, in order to hire a full time health nurse to assist the County in developing, implementing and maintaining said “Plan of Safe Care” program, for the period from 12/1/20 – 11/30/21.

L. Townes

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

10. (85627) **Social Services** – Amend a 5/27/21 resolution to enter into an agreement with Legal Services of the Hudson Valley (“LSHV”), pursuant to which LSHV would operate an Eviction Prevention Legal Services Program to provide access to eviction prevention legal services for at-risk low-income Westchester County individuals or families, and victims of domestic violence, facing eviction and loss of permanent housing, in Yonkers City Court, Mount Vernon City Court, White Plains City Court, Peekskill City Court, the Village of Ossining Justice Courts, and other Westchester eviction courts, as needed, for a term commencing on 1/1/21 – 12/31/21, for an amount not to exceed \$1,118,920, in order to reflect a change in the form of reimbursement under the agreement from a fee per service basis, to reimbursement based upon actual expenses incurred for services rendered in accordance with an approved budget, following submission by LSHV of quarterly reports to substantiate the basis for payment and an invoice.

L. Townes

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

11. (85044) **Correction** - Enter into **1)** an agreement with the Westchester County Health Care Corporation (“WCHCC”), whereby WCHCC will provide, through its Occupational Health Center, medical consulting services necessary for satisfactory implementation of the Uniform Attendance Standards of the Department of Correction, including, without limitation, reviewing the medical status of employees to determine fitness for duty; and **2)** pursuant to the agreement, the County shall pay WCHCC an amount not to exceed \$30,000 per year, for a total not to exceed amount of \$120,000, payable at the rates set forth in Schedules “A” and “B”, listed hereto and made a part hereof, for the term 1/1/21 – 12/31/24. Both parties shall have the right to terminate the agreement on thirty (30) days written notice to the other. The rates to be paid by the County will be capped at a 4% increase over what the County paid for the same services in the previous year.

J. Spano

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

12. (85096) **District Attorney** - Enter into a grant agreement with the New York State Division of Criminal Justice Services to accept a grant in an amount not to exceed \$500,175 in State Funds for the District Attorney’s Office to operate the Aid to Prosecution Program, for the program period 4/1/21 – 3/31/22.

M. Rocah

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

13. (85021) **DPW/Transportation** – Contract No. 18-207 with Picco Construction LLC, for Service Contract for Snow and Ice Removal, 100 East First Street, Mount Vernon, New York. Approved Change Order No. 1 in the amount of \$21,933.

H. Greechan

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

14. (85039) **DPW/Transportation** – Extend the term of Contract No. 18-208 with Picco Construction, to provide a Service Contract for Snow and Ice Removal, 25 Moore Avenue, Mount Kisco, New York, and extend the termination date of the agreement from 10/28/21 to 10/28/23; and **2)** increase the amount by \$54,170 from an amount of \$81,255, **to** a new amount not to exceed of \$135,425.

H. Greechan

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

15. (85040) **DPW/Transportation** - Authority to **1)** exercise its two (2) year renewal option for Contract No. 18-212 with Errico Landscaping Corporation, to provide a Service Contract for Snow and Ice Removal, 750 Washington Street, Peekskill, New York and extend the termination date from 10/28/21 **to** 10/28/23; and **2)** increase the amount by \$49,370, from an amount of \$74,055 **to** a new amount not to exceed \$123,425.

H. Greechan

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

16. (85085) **DPW/Transportation** – Contract No. 17-508 with Arben Group LLC, for Rehabilitation of Mamaroneck Avenue Bridge, Over Mamaroneck River, Town/Village of Harrison and Village of Mamaroneck, New York. Approved Wedge Wood Building Services, Bohemia, NY, as a subcontractor.

H. Greechan

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

17. (85324) **DPW/Transportation** – Contract No. 16-517 with Remus Industries/Laura Li Industries, JV Inc., for Dam Rehabilitation, Sal J. Prezioso Mountain Lakes Park, Town of North Salem, New York. Approved Western Oilfields Supply Company d/b/a Rain for Rent, Keyport, NJ and Portadam, Inc., Williamstown, NJ, as subcontractors.

H. Greechan

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

18. (85375) **DPW/Transportation** – Contract No. 20-506-Rev., with The LandTek Group, Inc., for Memorial Field Complex Reconstruction, City of Mount Vernon, New York. Approved Grace Industries LLC, Melville, NY, as a subcontractor.

H. Greechan

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

19. (85393) **DPW/Transportation** – Contract No. 16-522 for Sewer System Rehabilitation, Drake Avenue and Hudson Park Siphon Chambers, New Rochelle Sanitary Sewer District, New Rochelle, New York. Awarded to Low Bidder, ELQ Industries, Inc., New Rochelle, in the amount of \$5,050,000. Approved Verde Electric Corp., Mount Vernon and ACS System Associates, Inc., Hicksville, NY, as subcontractors. (7 bids)

H. Greechan

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

20. (85396) **DPW/Transportation** – Contract No. 21-504 for Resurfacing and Related Improvements, Westchester Avenue, From South Kensico Avenue to Main Street, and Westchester Avenue, from 1,824 Feet East of Anderson Hill Road to Corporate Park Drive, A Distance of 1.63 Miles, City of White Plains, New York. Awarded to Low Bidder, Montesano Brothers, Inc., New Rochelle, in the amount of \$2,641,314. (8 bids)

H. Greechan

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

21. (85398) **DPW/Transportation** – Contract No. 20-508 with MPCC Corp., for Various Paving and Drainage Improvements, South County Trailway, Barney Street, Yonkers to Main Street, Elmsford, Westchester County, New York. Approved Alcaide, Inc. d/b/a A&J Construction, Brookfield, CT, as a subcontractor.

H. Greechan

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

22. (85410) **DPW/Transportation** – Contract No. 20-525 for LED Lighting Upgrade, Mount Kisco District Office, 25 Moore Avenue, Mount Kisco, New York. The apparent low bidder, D&M Electrical Contracting, Inc. made an unintentional omission of a substantial quantity of labor man hours, and therefore has requested that its bid proposal of \$267,899.00 be withdrawn in accordance with New York General Municipal Law Section 103(11); and that D&M Electrical Contracting, Inc. be permitted to withdraw its bid submitted on 5/12/21 in the amount of \$267,899.00. Awarded to Second Low Bidder, RLJ Electric Corporation, Peekskill, in the amount of \$366,000. (7 bids)

H. Greechan

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

23. (85427) **DPW/Transportation** – Contract No. 20-501 with Niram, Inc., for Infrastructure Rehabilitation, Playland Park, Rye, New York. Approved the four (4) listed subcontractors.

H. Greechan

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

24. (85203) **DEF** – Enter into a utility work agreement with the New York State Department of Transportation (the “NYSDOT”) and its Design Builder, Halmar International, LLC, granting to the NYSDOT and Design Builder the right to modify and relocate the County sewer main along Route 1 over the Mamaroneck River Bridge in Mamaroneck, New York, as part of the NYSDOT’s Mamaroneck River Bridge Replacement Project, at no cost to the County, and the term of the agreement shall commence upon execution and continue through the term of the relocation work being provided by the Design Builder under the agreement and the Design Builders agreement with the NYSDOT for the Mamaroneck River Bridge Design Build Project.

V. Kopicki

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

25. (85622) **DEF** – Amend the permit agreement with the Village of Mamaroneck upon full execution and runs for three years from the commencement date identified in the permit as the date of issuance of a “Notice to Proceed” to contractor or 12/31/16, whichever is longer, which allows the County to use a portion of Harbor Island Park as a construction staging area in connection with the County’s rehabilitation of its outfall jetty located at the County’s Mamaroneck Wastewater Treatment Plant (“MWWTP”), by amending Section 3.0 of the agreement in order to include additional fencing, benches, lighting and walkways as requested by the Village.

V. Kopicki

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

26. (85672) **County Attorney** – Request authority to settle the lawsuit entitled 105 Mt. Kisco Associates LLC, et al. v. Paul Carozza, et al. in the amount of \$42,500 by payment from the County of Westchester to Knauf Shaw LLP as attorneys for Plaintiffs in the amount of \$42,500.

J. Nonna

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.

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

Signed: *Lisa Mríaj*, Secretary

Dated: 6/10/2021