

Ken Jenkins

Chairman of the Board
Legislator, 16th District



13214

Date: July 26, 2010

To: Honorable Board of Acquisition and Contract

From: Hon. Kenneth W. Jenkins, Chairman
Westchester County Board of Legislators

Re: **Authority to enter into an agreement with the Westchester Arts Council, Inc. ("ArtsWestchester"), pursuant to which ArtsWestchester will provide cultural services in the City of Mount Vernon (the "City" or "Mount Vernon"), for the period of July 31, 2010 to June 30, 2011, in an amount not to exceed \$50,000**

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement (the "Agreement") with the Westchester Arts Council, Inc. ("ArtsWestchester"), pursuant to which WAC will provide cultural services in the City of Mount Vernon (the "City" or "Mount Vernon.")

ArtsWestchester will partner with Mount Vernon-based organizations to expand the breadth and depth of cultural activity in Mount Vernon, to increase residents' access to the arts and to encourage greater participation in arts activities. ArtsWestchester will identify qualifying cultural organizations in or serving Mount Vernon, issue a request for proposals, manage the selection process, subcontract with participating organizations, oversee contract compliance and assess performance. In addition, ArtsWestchester will partner with Mount Vernon Public Library to build its capacity to serve as a major local cultural resource. Specifically, ArtsWestchester will provide exhibitions and workshops in the library's Rotunda Gallery, particularly for families that deepen appreciation of the arts and encourage family and youth engagement.

ArtsWestchester may use subcontractors to assist it in carrying out the work, provided that all subcontractors shall be approved in writing by the Chairman of the Board of Legislators. ArtsWestchester will ensure the Agreement provides that at least 15,000 adults and children will benefit from the art services provided; that at least two exhibitions will be mounted at the Rotunda Gallery of the Mount Vernon Public Library; that there will be at least 25 arts-making workshops/residencies at Mount Vernon

Library; and that at least ten public programs will be presented by Mount Vernon-based cultural groups or organizations serving Mount Vernon.

The term of this Agreement will be for the period of July 31, 2010 to June 30, 2011, in an amount not to exceed Fifty Thousand (\$50,000) Dollars, which will be spent in accordance with an approved budget and payable in two equal installments, the first upon execution of this Agreement and the second installment upon submission of an interim report on January 15, 2010.

The objective of the Agreement is to help the City develop a vibrant cultural life, to build community in the City and to strengthen the economic base of the City. The success of the Program will be judged by the following: At least 15,000 adults and children will benefit from the art services provided; at least two exhibitions will be mounted at the Rotunda Gallery of the Mount Vernon Public Library; at least 25 arts-making workshops/residencies will be held at Mount Vernon Library; and at least ten public programs will be presented by Mount Vernon-based cultural groups or organizations serving Mount Vernon.

The Agreement's progress shall be tracked by direct reporting of the results to the County by ArtsWestchester through the submission of an interim written report on or before January 15, 2011 and a final report on or before August 1, 2011.

This procurement is exempt from the requirements of the County Procurement Policy and Procedures pursuant to Section 3 (a)(xiii) thereof .

Accordingly, I recommend and urge your Honorable Board's approval of the annexed Resolution.

KWJ/jpi

APPROVED BOARD OF ACQUISITION & CONTRACTS 18-13-2010 MOUNT VERNON PUBLIC LIBRARY

RESOLUTION

Upon a communication from the Hon. Kenneth W. Jenkins, Chairman of the Westchester County Board of Legislators, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement (the "Agreement") with the Westchester Arts Council, Inc. ("ArtsWestchester"), pursuant to which WAC will provide cultural services in the City of Mount Vernon (the "City" or "Mount Vernon"), for the period of July 31, 2010 through June 30, 2011, in an amount not to exceed Fifty Thousand (\$50,000) Dollars payable in two equal installments, the first upon execution of this Agreement and the second installment upon submission of an interim report on January 15, 2011, and be it further

RESOLVED, that ArtsWestchester may utilize subcontractors to assist it in carrying out the terms of this Agreement, provided that such subcontractors shall be approved by the Chairman of the Board of Legislators in writing, and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED, that the Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Service Provider, then the Service Provider shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the Chairman of the Westchester County Board of Legislators, or his authorized designee, is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

| Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub-Object | Trust Account | Dollars |
|------|------|---|-----------------------|------------------|----------|
| 101 | 52 | 2503 | 5100 | | \$50,000 |
| | | | | | |
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| | | | | | |
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Budget Funding Year(s) 2010 Start Date 7/31/10 End Date 6/30/11
(must match resolution)

Funding Source Tax Dollars \$50,000

State Aid _____

\$ \$50,000

Federal Aid _____

(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 8-13-2010 - JOMARY VEIRA, SECRETARY