

21534

To: Honorable Board of Acquisition and Contract

From: Kunjlata Ashar, M.D.
Acting Pathologist/Medical Examiner
Department of Laboratories and Research

Date: September 8, 2011

Re: Resolution authorizing the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation ("WCHCC") whereby the County will provide clinical analyses, toxicological, environmental, microbiological, forensic science and public health lab services, along with the services of the Medical Examiner's Office to WCHCC for the term commencing January 1, 2011 and terminating December 31, 2011, pursuant to an approved budget

Attached for your consideration is a resolution which authorizes the County, acting by and through its Department of Laboratories and Research ("Department"), to enter into an agreement with WCHCC, whereby the Department will provide clinical analyses, toxicological, environmental, microbiological, forensic science and public health lab services, along with the services of the Medical Examiner's Office and other special projects to WCHCC, for the term commencing January 1, 2011 and terminating December 31, 2011. Upon expiration of the initial term, the County, at its sole option and upon notice to WCHCC, may renew the agreement for up to four (4) additional one (1) year terms, subject to the prior approval of WCHCC and your Honorable Board. Both parties will have the right to terminate the agreement on thirty (30) days notice to the other. WCHCC shall pay the County based on the Department's established rates for the services, a minimum amount of \$40,000.00 and a not to exceed amount of \$75,000.00. The Agreement will also contain a clause providing that the Department will only be responsible for work up to \$75,000.00. Should WCHCC require services in excess of the not-to-exceed amount, and if the County is amenable to providing such additional services, the parties may agree to amend the Agreement to increase the not-to-exceed amount, with all other terms and conditions remaining unchanged, subject to the prior approval of your Honorable Board. It should be noted that the prior agreement for these services expired on December 31, 2010.

This agreement promotes the public health, safety and general welfare by providing services that will benefit County residents and provide revenue to the County. This contract serves the public purpose of promoting the public health of Westchester County residents by providing clinical analysis of patient specimens for WCHCC.

The goals and objectives of this program are to provide the residents of Westchester County with patient laboratory testing services. This program's value and importance are in the best interest of the County in terms of ensuring public health. Such goals and objectives will be tracked and monitored by the Department's Microbiology Division, which tracks all patient submissions and results through their LIMS ("Laboratory Information Management System") and generates billings through the Administrative division to WCHCC.

As your Honorable Board is aware, Section 3307(4) of the New York Public Authorities Law requires the approval of the Board of Legislators and Board of Acquisition and Contract for agreements between the County and WCHCC. Accordingly, on September 6, 2011 the Westchester County Board of Legislators adopted Act No. 2011- 125, which authorized the County, through the Department of Laboratories and Research, to enter into the agreement with WCHCC. Based upon the foregoing, I recommend your Honorable Board's approval of the annexed Resolution.

KA/JPG/jg
Attachment

RESOLUTION

Upon a communication from the Acting Pathologist/Medical Examiner, be it hereby

RESOLVED, that the County of Westchester, acting by and through its Department of Laboratories and Research ("Department") is authorized to enter into an agreement with the Westchester County Health Care Corporation ("WCHCC") whereby the Department shall provide clinical analyses, toxicological, environmental, microbiological, forensic science and public health lab services, along with the services of the Medical Examiner's Office and other special projects to WCHCC, for the term commencing January 1, 2011 and terminating December 31, 2011 (the "Agreement"); and be it further

RESOLVED, that upon expiration of the initial term, the County, at its sole option and upon notice to WCHCC, may renew the agreement for up to four (4) additional one (1) year terms, subject to the prior approval of WCHCC and the Westchester County Board of Acquisition & Contract; and be it further

RESOLVED, that in consideration for services rendered, WCHCC shall pay the County based on the Department's established rates for the services a minimum amount of \$40,000.00 and a not to exceed amount of \$75,000.00; and be it further

RESOLVED, that the Agreement shall also contain a clause providing that the Department will only be responsible for work up to \$75,000.00. Should WCHCC require services in excess of the not-to-exceed amount, and if the County is amenable to providing such additional services, the parties may agree to amend the Agreement to increase the not-to-exceed amount, with all other terms and conditions remaining unchanged, subject to the prior approval of the Westchester County Board of Acquisition & Contract; and be it further

RESOLVED, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	31	0010-4200	9067		\$40,000- \$75,000

Budget Funding Year(s) 2011 Start Date 1/1/11 End Date 12/31/11
(must match resolution)

Funding Source Tax Dollars _____
State Aid _____
\$40,000-\$75,000 Federal Aid _____
(must match resolution) Other WCHCC REVENUE

APPROVED BOARD OF ACQUISITION CONTRACT - 100062011 - JOMARY VEIRA SECRETARY