

21755

Date: September 14, 2011

To: Board of Acquisition and Contract

From: Kevin M. Cheverko
Commissioner of Correction

Re: Resolution authorizing the County of Westchester to enter into an Intermunicipal Agreement with the Town of Harrison for Round Trip Prisoner Transportation between Harrison and the Westchester County Jail for the term commencing January 1, 2011 and terminating December 31, 2012 in the total not to exceed amount of \$54,000

On September 6, 2011 the Westchester County Board of Legislators adopted Act Number 124 -2011 which authorized the County to enter into an intermunicipal agreement with the Town of Harrison ("Harrison") for the term commencing January 1, 2011 through December 31, 2012, whereby Harrison will provide round trip transportation for prisoners between Harrison and the Westchester County Jail in Valhalla, New York in an annual amount of \$24,960 in 2011 and \$29,040 in 2012 for a total not to exceed amount of \$54,000.

The proposed agreement will be payable at the following flat rates per round trip, plus mileage: \$207.12 in 2011 and \$214.37 in 2012. As an alternative to payment at flat rates, Harrison will be reimbursed at the hourly rate plus fringe benefits as determined in the applicable collective bargaining agreement, plus mileage, only in the following circumstances: when a female prisoner is being transported; when seven or more prisoners are being transported; when prisoners charged with Class A felonies or classified by the Department of Correction as an "A" or "AA" prisoner are being transported; or if the transportation time exceeds three hours. The County will also reimburse Harrison for the actual and reasonable costs of meals provided to post-arraignment prisoners.

The public purpose of the proposed agreement is for the County to carry out its duty to transport arraigned prisoners between local courts and the County Jail in order to make mandatory court appearances in a cost effective manner. The goal of maintaining the safety of the public and prisoners while prisoners are transported to and from the County Jail will be tracked and monitored by the Department of Correction through booking records and monthly invoices.

This agreement is exempt from procurement pursuant to §3(a)(iii) of the County Procurement Policy.

The approval of this contract will assure the public safety of County residents and will permit the transportation of prisoners which the County is required to provide pursuant to Sections 500-c and 500-d of the Correction Law at the best rate possible. The proposed agreement is in the best interests of the County and is fiscally responsible because the cost of acquiring appropriate vehicles and assigning required personnel, to provide such prisoner transportation, would far exceed the cost of this agreement.

A resolution for your consideration is annexed hereto which I recommend for your favorable consideration.

KMC/DI
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS - JANUARY 2011 - JOINTLY VIEWED SECRETARY

RESOLUTION

Upon a communication from the Commissioner, Department of Correction, be it hereby

RESOLVED, that the County of Westchester is authorized to enter into an Intermunicipal Agreement with the Town of Harrison (“Harrison”) for the term commencing January 1, 2011 through December 31, 2012, whereby Harrison will provide round trip transportation for prisoners between Harrison and the Westchester County Jail in Valhalla, New York (the “Agreement”). The 2011 annual amount of the Agreement will be \$24,960 in 2011 and \$29,040 in 2012 for a total not to exceed amount of \$54,000. The Agreement will be payable at the following flat rates per round trip, plus mileage: \$297.12 in 2011 and \$214.37 in 2012. As an alternative to payment at flat rates, Harrison will be reimbursed at the hourly rate plus fringe benefits as determined in the applicable collective bargaining agreement, plus mileage, only in the following circumstances: when a female prisoner is being transported; when seven or more prisoners are being transported; when prisoners charged with Class A felonies or classified by the Department of Correction as an “A” or “AA” prisoner are being transported; or if the transportation time exceeds three hours. The County will also reimburse Harrison for the actual and reasonable costs of meals provided to post-arraignment prisoners; and be it further

RESOLVED, that the County Executive or his duly 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
2011	101	35	1000	4445		\$24,960
2012	101	35	1000	4445		\$29,040

Budget Funding Year(s) 2011-12 Start Date 1/01/11 End Date 12/31/12
 (must match resolution)

Funding Source Tax Dollars 2011 - \$24,960 2012 - \$29,040
 State Aid _____
 \$ 54,000 Federal Aid _____
 (must match resolution)
 Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT 10/13/2011 - JOMARY VIEIRA, SECRETARY