

23458

December 6, 2011

To: Honorable Board of Acquisition and Contract

From: Kevin Cheverko  
Commissioner of Correction

Re: Authority for the County of Westchester to exercise the third renewal option of a license agreement with Aramark Correctional Services, LLC to operate inmate commissaries at the Westchester County Jail, the Penitentiary, the Female Division and Ward 29 at the Westchester Medical Center for the term January 1, 2012 through December 31, 2012

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Your Honorable Board approved a Resolution on March 5, 2009 authorizing the County of Westchester to enter into a license agreement with Aramark Correctional Services, Inc. to operate inmate commissaries at the Westchester County Jail, the Penitentiary, the Female Division and Ward 29 at the Westchester Medical Center for the term January 1, 2009 through December 31, 2009 with the County's option to renew the agreement for up to four (4) one (1) year periods. On June 11, 2009, your Honorable Board amended the prior Resolution to reflect the correct name of the contractor as Aramark Correctional Services, LLC ("Aramark").

By Resolution approved on October 1, 2010, your Honorable Board authorized the County to exercise the first renewal option for the term January 1, 2010 through December 31, 2010. By Resolution approved on November 23, 2010, your Honorable Board authorized the County to exercise the second renewal option for the term January 1, 2011 through December 31, 2011.

Authority is now requested for the County to exercise its third renewal option for the term January 1, 2012 through December 31, 2012. All other terms and conditions of the agreement shall remain unchanged. Aramark pays the County 34.1% of net sales on all commissary items except postage, stamped envelopes and indigent kits. All money paid to the County will go into the Inmate Welfare Trust Fund.

The Department of Corrections is able to report the following information from 2010:

- The average prison population was 1407 inmates per day.
- Inmates are allowed to purchase commissary items twice per week.
- In 2010, the inmates made 66,823 commissary purchases.
- The cost of these purchases totaled \$1,400,459.22.
- The County earned \$458,611.91 commission on these sales.
- The commission earnings were deposited into the Inmate Welfare Trust Fund.
- The Inmate Welfare Trust Fund is used for the benefit of the inmates.

The goal and objective of this agreement is to provide and distribute commissary goods to be purchased by the inmates in the most professional and cost efficient manner possible. The commissary items should be known to be popular and generally acceptable to the inmates.

There will be a verifiable audit trail. The contractor will provide a commissary trust balance sheet that is maintained by the Department of Correction, and an inmate order history. The contractor will also provide a commissary sales report that itemizes each sale and confirms sales and related commissions.

Accordingly, I recommend approval of the annexed Resolution.

KC/DLV/dv

**RESOLUTION**

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

**RESOLVED**, that the County of Westchester is authorized to exercise the third renewal option of a license agreement with Aramark Correctional Services, LLC to operate inmate commissaries at the Westchester County Jail, the Penitentiary, the Female Division and Ward 29 at the Westchester Medical Center for the term January 1, 2012 through December 31, 2012; and be it further

**RESOLVED**, that all other terms and conditions of the agreement shall remain unchanged; and be it further

**RESOLVED**, that the County Executive or his duly 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	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	711	35	011	9856	T011		N/A

Budget Funding Year(s) 2012 Start Date: 01/01/2012 End Date: 12/31/2012  
(must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 Federal Aid \_\_\_\_\_  
 Other     N/A    \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/20/2011 - DOMINIC WEIRA SECRETARY