



#24412

Date: January 20, 2012

To: Honorable Members of the Board of Acquisition and Contract

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

Re: Authority to enter into an agreement with O'Connor Davies Munns & Dobbins, LLP, pursuant to which O'Connor Davies Munns & Dobbins, LLP will provide to the Board of Legislators an audit of the County's financial statements for each of three fiscal years: 2011, 2012, and 2013

Authority is requested for the County of Westchester (the "County"), acting by and through its Board of Legislators (the "Board"), to enter into an agreement with O'Connor Davies Munns & Dobbins, LLP ("O'Connor Davies"), pursuant to which O'Connor Davies will provide to the Board professional services consisting of an audit of the County's financial statements for the years ending December 31, 2011; December 31, 2012; and December 31, 2013, for a term from January 1, 2012 through December 31, 2014, for a total aggregate amount not-to-exceed \$1,477,500, comprised of an amount not-to-exceed \$492,500 for the audit for the year ending December 31, 2011; an amount not-to-exceed \$492,500 for the audit for the year ending December 31, 2012; and an amount not-to-exceed \$492,500 for the audit for the year ending December 31, 2013 (the "Agreement").

In accordance with Board's obligations under section 107.91 of the Laws of Westchester County and the requirements of section 6 of the Westchester County Procurement Policy, the Board issued a Request for Proposals ("RFP"), dated August 26, 2011, for audit services. The County received proposals from three (3) firms: O'Connor Davies; McGladrey & Pullen, LLP; and Drescher & Malecki LLP. The proposals were reviewed by staff from the Board and the County's Department of Finance. Based on that review, the proposal submitted by O'Connor Davies was found to be first-ranked proposal on the basis of the evaluation criteria specified in the RFP.

The proposed Agreement will serve a public purpose by having an experienced auditing firm analyze the County's financial statements and express an opinion on the County's financial status.

The goals and objectives of the proposed Agreement are to provide the Board with audit services for the County's financial statements for fiscal years 2011, 2012 and 2013.

The goals and objectives of the proposed Agreement are in the best interests of the County in terms of fiscal responsibility, as the audits to be provided will supply the Board with information concerning the County's operating expenses, thereby enabling the Board to make informed decisions regarding the County budget.

The goals and objectives of the proposed Agreement will be tracked and monitored through written opinions to be rendered by O'Connor Davies for each fiscal year.

Accordingly, I recommend the adoption of the annexed Resolution.

KWJ/OAR/SS/bdm/nm

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/09/2011 - JOMAR VILERA, SECRETARY

RESOLUTION

Upon a communication from the Chairman of the Westchester County Board of Legislators, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its Board of Legislators, is authorized to enter into an agreement with O'Connor Davies Munns & Dobbins, LLP ("O'Connor Davies"), pursuant to which O'Connor Davies will provide to the Board of Legislators professional services consisting of an audit of the County's financial statements for the years ending December 31, 2011; December 31, 2012; and December 31, 2013, for a term from January 1, 2012 through December 31, 2014, for a total aggregate amount not-to-exceed \$1,477,500, comprised of an amount not-to-exceed \$492,500 for the audit for the year ending December 31, 2011; an amount not-to-exceed \$492,500 for the audit for the year ending December 31, 2012; and an amount not-to-exceed \$492,500 for the audit for the year ending December 31, 2013 (the "Agreement"); 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 Consultant, then the Consultant 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

Date	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2011	101	52	2065	5100		\$42,500
2012	101	52	2065	5100		\$450,000
2013	101	52	2065	5100		\$492,500
2014	101	52	2065	5100		\$492,500

Budget Funding Year(s) 2012-2014 Start Date 1/1/12 End Date 12/31/14
(must match resolution)

Funding Source Tax Dollars \$1,477,500

State Aid _____

\$1,477,500 Federal Aid _____

(must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/09/2012 JOHANNY VIENNA SECRETARY