

**25215**

DATE: February 29, 2012

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Kerry M. Oristano  
Commissioner, Department of Human Resources

SUBJECT: Authority to enter into an agreement with Mount Vernon City School District for a permit to use Mount Vernon High School in order to conduct a civil service examination on April 14, 2012

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Authority is requested for the County of Westchester (the "County") to enter into an agreement with Mount Vernon City School District (the "District"), pursuant to which the District will grant to the County, and the County will accept, a permit to use Mount Vernon High School in order to conduct a civil service examination for Correction Officer on April 14, 2012 (the "Agreement"). Under the proposed Agreement, the County will pay to the District an amount not-to-exceed \$10,000.00, pursuant to an approved budget.

In consideration for the granting of said permit, the County will agree to indemnify, defend and hold harmless the District, which may include, but not necessarily be limited to, indemnifying the District for any applicable deductibles for insurance policies of the District and indemnifying, defending and holding harmless the District, its officers, agents and employees from and against any and all liability.

The proposed Agreement will serve a public purpose by providing the County with a facility to conduct a civil service examination on April 14, 2012.

The goal and objective of the proposed Agreement is to obtain use of a facility to conduct a civil service examination to select the most qualified candidates to work as public servants.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of public safety, as the civil service examination to be administered is for the Corrections Officer title.

The goals and objectives of the proposed Agreement will be tracked and monitored by the staff of the Department of Human Resources.

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

KMO/KMV/bdm/nn

## RESOLUTION

Upon a communication from the Commissioner of Human Resources, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to enter into an agreement with Mount Vernon City School District (the "District"), pursuant to which the District will grant to the County, and the County will accept, a permit to use Mount Vernon High School in order to conduct civil service examinations on April 14, 2012 (the "Agreement"); and be it further

**RESOLVED**, that, under the Agreement, the County will pay to the District an amount not-to-exceed \$10,000.00, pursuant to an approved budget; and be it further

**RESOLVED**, that, in consideration for the granting of said permit, the County will agree to indemnify, defend and hold harmless the District, which may include, but not necessarily be limited to, indemnifying the District for any applicable deductibles for insurance policies of the District and indemnifying, defending and holding harmless the District, its officers, agents and employees from and against any and all liability; and be it further

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

**RESOLVED**, that this 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 this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the District, then the District shall have the right to terminate this Agreement upon reasonable prior written notice; 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	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	12	6010	4909		\$10,000

Budget Funding Year(s): 2012  
(must match resolution)

Start Date: 4/14/12 End Date: 4/14/12

Funding Source

\$10,000  
(must match resolution)

Tax Dollars: \$10,000

State Aid: \_\_\_\_\_

Federal Aid: \_\_\_\_\_

Other: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/07/2012 - HONARY VICE SECRETARY