

25911

DATE: March 28, 2012

TO: Honorable Members of the Board of Acquisition and Contract

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

SUBJECT: 1.) Rescinding a resolution approved on March 1, 2012, authorizing the County 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; and

2.) Authority for the County to enter into an agreement with the Port Chester - Rye Union Free School District for a permit to use Port Chester High School in order to conduct a civil service examination on April 14, 2012.

By resolution approved on March 1, 2012 (the "March 1st Resolution"), your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Mount Vernon City School District (the "MVCSD"), pursuant to which the MVCSD would grant to the County, and the County would 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 "MVCSD Agreement"). Under the MVCSD Agreement, in consideration of the permit, the County would pay the MVCSD an amount not-to-exceed \$10,000.00, pursuant to an approved budget, and indemnify, defend and hold harmless the MVCSD, which might include, but not necessarily be limited to, indemnifying the MVCSD for any applicable deductibles for insurance policies of the MVCSD and indemnifying, defending and holding harmless the MVCSD, its officers, agents and employees from and against any and all liability.

Due to circumstances beyond the County's control, the County was recently notified that it will not be able to conduct the aforementioned civil service examination at Mount Vernon High School. Accordingly, it is respectfully requested that your Honorable Board rescind the March 1st Resolution.

Port Chester High School has been identified by the County as an alternative location for conducting the aforementioned civil service examination. Accordingly, it is respectfully requested that your Honorable Board authorize the County to enter into an agreement with Port Chester - Rye Union Free School District (the "District"), pursuant to which the District will grant to the County, and the County will accept, a permit to use Port Chester High School in order to conduct a civil service examination for Correction Officer on April 14, 2012 (the "PCRUFSD Agreement"). Under the proposed PCRUFSD Agreement, in consideration of the

permit, the County will pay the District permit fees not to exceed \$8,000 in accordance with an approved fee schedule, and defend, indemnify and hold harmless the District, which might include, but not necessarily be limited to, having to defend, indemnify and hold harmless the District from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of District's property, facilities and/or services by the County, as well as indemnify the District for any applicable insurance deductibles.

The proposed PCRUFSD 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 PCRUFSD 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 PCRUFSD 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 PCRUFSD 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/mn

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2012 - SUMMARY/ITEMS - SECURITY

RESOLUTION

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

RESOLVED, that the resolution approved on March 1, 2012, which authorized the County of Westchester (the "County") to enter into an agreement with Mount Vernon City School District (the "MVCSD"), pursuant to which the MVCSD would grant to the County, and the County would accept, a permit to use Mount Vernon High School in order to conduct a civil service examination for Correction Officer on April 14, 2012, is hereby rescinded; and be it further

RESOLVED, that the County is hereby authorized to enter into an agreement with Port Chester - Rye Union Free School District (the "District"), pursuant to which the District will grant to the County, and the County will accept, a permit to use Port Chester High School in order to conduct civil service examinations on April 14, 2012 (the "Agreement") and pursuant to which the County will pay permit fees not to exceed \$8,000 in accordance with an approved fee schedule, and defend, indemnify and hold harmless the District, which might include, but not necessarily be limited to, having to defend, indemnify and hold harmless the District from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of District's property, facilities and/or services by the County, as well as indemnify the District for any applicable insurance deductibles; 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		\$8,000

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

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

Funding Source
\$8,000
(must match resolution)

Tax Dollars: \$8,000
State Aid: _____
Federal Aid: _____
Other: _____