

**26664**

Date: April 26, 2012

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 City of New Rochelle for Round Trip Prisoner Transportation between New Rochelle and the Westchester County Jail for the term commencing January 1, 2012 and terminating December 31, 2013 in the total not to exceed amount of \$468,061

On April 16, 2012, the Westchester County Board of Legislators adopted Act Number 2010-27, authorizing the County to enter into an Inter-municipal agreement with the City of New Rochelle ("New Rochelle") pursuant to which New Rochelle will provide round trip transportation for prisoners between the New Rochelle City Court and the Westchester County Jail in Valhalla, New York, for the term commencing January 1, 2012 and continuing through December 31, 2013, in the annual amount not to exceed \$230,572 in 2012 and \$237,489 in 2013, for a total not to exceed amount of \$468,061 (the "IMA").

Authority is now respectfully requested from your Board for the County to enter into the IMA. The total aggregate not-to-exceed amount of \$468,061 will be payable at the following rates:

2012	Police Officer	\$67.68 per hour
	Community Service Officer	\$39.27 per hour
2013	Police Officer	\$69.71 per hour
	Community Service Officer	\$40.45 per hour

Reimbursement for hourly wage and fringe benefit costs will be for a maximum of five hours per person per trip. New Rochelle will also be reimbursed for vehicle usage at the rate of fifty-five and one-half cents (\$.555) per mile, or at the then current Internal Revenue Service mileage reimbursement rate, and for the actual and reasonable cost 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 Section 500-c and 500-d of the Correction Law, at the best rate possible. If this Agreement is not authorized, the County will be required to provide transportation to all prisoners remanded to the County Jail at a greatly increased cost to the taxpayers. 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 Board's consideration is annexed hereto which I recommend for your favorable consideration.

KMCDI  
Attachment

**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 City of New Rochelle (“New Rochelle”) pursuant to which New Rochelle will provide round trip transportation for prisoners between the New Rochelle City Court and the Westchester County Jail located in Valhalla, New York for the term commencing January 1, 2012 and continuing through December 31, 2013. The annual not to exceed amount of the agreement will be \$230,572 in 2012 and \$237,489 in 2013, for a total not to exceed amount of \$468,061. New Rochelle will be reimbursed at the following rates:

2012	Police Officer	\$67.68 per hour
	Community Service Officer	\$39.27 per hour
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	Community Service Officer	\$40.45 per hour

Reimbursement for hourly wage and fringe benefit costs will be for a maximum of five hours per person per trip. New Rochelle will also be reimbursed for vehicle usage at the rate of fifty five and one-half cents (\$.555) per mile, or at the then current Internal Revenue Service mileage reimbursement rate, and for the actual and reasonable cost of meals provided to post-arraignment prisoners; and be it further; and be it further

**RESOLVED**, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary and 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
2012	101	35	1000	4445		\$230,572
2013	101	35	1000	4445		\$237,489

Budget Funding Year(s) 2012-13 Start Date 1/01/12 End Date 12/31/13  
 (must match resolution)

Funding Source Tax Dollars 2012 – \$230,572 2013 - \$237,489  
 State Aid \_\_\_\_\_  
 \$ 468,061. Federal Aid \_\_\_\_\_  
 (must match resolution)  
 Other \_\_\_\_\_