

Robert P. Astorino
County Executive

Office of the County Attorney

Robert F. Meehan
County Attorney

27553

Memorandum
Office of the County Attorney

June 12, 2012

To: Board of Acquisition and Contract

From: Robert F. Meehan
County Attorney

Re: **Authority to enter into an agreement with Pro Safety Services, LLC for the provision of safety training and compliance services for a period of three (3) years commencing July 1, 2012 for an amount not to exceed \$54,400 per year with the County having the sole option to extend the agreement for two (2) additional one (1) year option periods**

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement with Pro Safety Services, LLC. ("Pro Safety"), pursuant to which Pro Safety will provide safety training and compliance services on an "as needed" basis for the County, for a term July 1, 2012 through June 30, 2015, with the County having the sole option to extend the term of the agreement for two (2) additional one-year periods, for an amount not-to-exceed \$54,400 per year at the rate of \$80.00 per hour throughout the term of the contract as well as the two (2) option periods.

On or about April 16, 2012, the County issued a Request for Proposals ("RFP") to solicit proposals to provide safety training and compliance services. Six (6) proposals in response to the RFP were received by the following entities:

1. Pro Safety Services, LLC;
2. Preferred Environmental Services;

3. Phase Associates, LLC;
4. Hirani Group;
5. Creative Environment Solutions Corp. (“CESC”); and
6. PMA Management Corp of New England (“PMA”).

The proposals were reviewed, rated, and ranked, based upon the evaluation criteria specified in the RFP, with Pro Safety being the first-ranked proposer. In addition, the proposal received by Pro Safety provided the lowest rates, with consultant rates starting at \$80 per hour throughout the term of the contract as well as the two (2) option periods. Pro Safety has successfully provided these services for the County in the past and has proven that the quality of its work meets the County’s occupational and safety needs.

Pursuant to the proposed agreement, Pro Safety shall provide technical assistance in developing and conducting in-house safety training, educational services and regulatory compliance programs for various departments throughout the County. This contract serves a public purpose as it protects the health, safety and welfare of employees of the County by providing safety training services and monitoring compliance with work safety standards. The County has been satisfied with the services provided by Pro Safety’s previous contracts. The goals and objectives of the proposed agreement will be tracked and monitored through scheduling and supervision of Pro Safety’s services by the County’s Department of Risk Management.

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

KFM/JPI/me

Attachment

RESOLUTION

Upon a communication from the County Attorney, be it hereby

RESOLVED, that the County of Westchester (the "County") is authorized to enter into an agreement with Pro Safety Services, LLC to provide safety training and compliance services on an "as needed" basis for the County for a term July 1, 2012 through June 30, 2015, with the County having the sole option to extend the term of the agreement for two (2) additional one (1) year periods, for an amount not-to-exceed \$54,400 per year at the rate of \$80.00 per hour throughout the term of the contract as well as the two (2) option periods; 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 Consultant, then the Consultant shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2012	101	18	2000/2000	4225		\$ 27,200.00
2013	101	18	2000/2000	4225		\$ 54,400.00
2014	101	18	2000/2000	4225		\$ 54,400.00
2015	101	18	2000/2000	4225		\$ 27,200.00

Budget Funding Year(s) Start Date: July 1, 2012 End Date: June 30, 2015
(must match resolution)

Funding Source: Tax Dollars \$163,200 Contractor Federal I.D. No. _____
Social Security No.: _____
State Aid _____
\$163,200.00 Federal Aid _____ Vendor No.: 720344
(must match resolution) Other _____ Encumbrance No.: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/19/2012 - JOMARY VIEIRA, SECRETARY