

29397

September 24, 2012

TO: Board of Acquisition and Contract

FROM: George N. Longworth, Commissioner-Sheriff
Department of Public Safety

RE: Resolution authorizing the County of Westchester to enter into an agreement for a period October 1, 2012, through September 30, 2013, with the United States of America, acting by and through its Drug Enforcement Administration permitting Westchester County, acting by and through its Department of Public Safety to participate in the Tactical Diversion Squad Task Force

Authority is sought for the County of Westchester (the "County") to enter into an agreement commencing October 1, 2012, and terminating September 30, 2013, with the United States of America, acting by and through its Drug Enforcement Administration ("DEA") permitting Westchester County, acting by and through its Department of Public Safety, to continue participation in the Tactical Diversion Squad Task Force ("Task Force"). This participation consists of the assignment of one (1) detective to the Task Force under the supervision and control of the DEA Supervisory Special Agent assigned to the Task Force. The agreement provides for reimbursement of a high percentage of overtime expenses for participating agencies.

The public purpose of this agreement is to investigate, disrupt and dismantle individuals and/or organizations involved in diversion schemes of controlled pharmaceuticals and/or listed chemicals in the New York Metropolitan area.

The goals and objectives of this program are to continue the operation of the Tactical Diversion Squad Task Force ("TDS") in its efforts to investigate and prosecute illicit drug trafficking in Westchester County. As drug trafficking increases nationwide, DEA recognized the need for cooperation and coordination of drug enforcement efforts with their state and local counterparts. This cooperation provides several advantages to all participating agencies such as Westchester County.

The goals and objectives of this program will support the public safety and/or welfare by removing large quantities of drugs destined for the streets of Westchester. By collaborating enforcement activities of County and local law enforcement agencies, they will be more able to thwart illegal drug activity that has a substantial and detrimental effect to the health and welfare of the people in Westchester County and its surrounding areas.

The goals and objectives of this program will be tracked and monitored by the DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representations. The officer assigned to the TDS shall adhere to DEA policies, procedures and guidelines including conduct, property, reporting systems, evidence handling and use of firearms. The WCPD shall maintain all such reports and records for audit and examination.

I certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the “Grant Terms”), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

The agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3 (a)iii.

Wherefore, authority is respectfully sought for the County of Westchester to enter into this agreement.

GNL/GR/cs
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/18/2012 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner-Sheriff, Department of Public Safety, be it hereby

RESOLVED, that authority is hereby granted for the County of Westchester to enter into an agreement with the United States of America, acting by and through its Drug Enforcement Administration authorizing Westchester County, acting by and through its Department of Public Safety, to participation in the Tactical Diversion Squad Task Force (“Task Force”) for the term commencing October 1, 2012, and terminating September 30, 2013. Subject to availability of Federal funds, the funds shall be provided to purchase vehicles for assigned task force officers, payment for maintenance on those vehicles, and other expenses. Any remaining funds will be divided equitably among participating members of the Task Force, 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 Contractor, then the Contractor 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 and hereby authorized to enter into and execute this agreement for the County of Westchester.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	101	38	2000	9818		TBD
Revenue						

Budget Funding Years 2012 - 2013
(must match resolution)

Start Date 10/01/12

End Date 09/30/13

Funding Source
\$ TBD
(must match resolution)

Tax Dollars _____
State Aid _____
Federal Aid _____
TBD _____
Other _____