

32884

DATE: March 18, 2013

TO: Board of Acquisition and Contract

FROM: Diane G. Balistreri
Coordinator, Office for Women

RE: Authority to enter into an agreement with Cellco Partnership d/b/a Verizon Wireless (“Verizon”), pursuant to which Verizon will provide the County with up to 85 cell phones to be used by victims of domestic violence, child abuse, stalking and other violent crimes, with an initial allotment of minutes and text messages for each phone, at no cost to the County of Westchester, for a term of six (6) months, commencing upon execution..

Authority is requested for the County of Westchester (the “County”) to enter into an agreement with Cellco Partnership d/b/a Verizon Wireless (“Verizon”), pursuant to which Verizon will provide the County with up to 85 cell phones to be used by victims of domestic violence, child abuse, stalking and other violent crimes, with an initial allotment of minutes and text messages for each phone, (the “Cell Phones”) at no cost to the County, for a term of six (6) months, commencing upon execution (the “Agreement”).

In consideration for Verizon providing the Cell Phones, the County will agree to indemnify and hold harmless Verizon and its affiliates, agents, officers, and employees from all claims, demands, damages, losses, liabilities, penalties, and expenses, including attorneys’ fees, arising out of the County’s negligent acts or omissions, breach of the Agreement or breach of any representations or warranties.

The proposed Agreement will serve a public purpose by providing the County with the Cell Phones for distribution to victims of domestic violence, child abuse, stalking and other violent crimes, and thereby provide such persons with personal access to a cell phone for emergency situations and help them maintain a safe environment and improve their quality of life.

The goal and objective of the proposed Agreement is to provide the County with the Cell Phones for distribution to victims of domestic violence, child abuse, stalking and other violent

crimes, and thereby provide such persons with personal access to a cell phone for emergency situations and help them maintain a safe environment and improve their quality of life.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of safety and security, as it will provide the County with the Cell Phones for distribution to victims of domestic violence, child abuse, stalking and other violent crimes, and thereby provide such persons with personal access to a cell phone for emergency situations and help them maintain a safe environment and improve their quality of life.

The goal and objective of the proposed Agreement will be tracked and monitored by the staff of the Office for Women.

Accordingly, the attached resolution is submitted for your consideration.

DGB/SED/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/28/2019 - JOMAR VILERA SECRETARY

RESOLUTION

Upon a communication from the Coordinator of the Office for Women, be it hereby:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement with Cellco Partnership d/b/a Verizon Wireless ("Verizon"), pursuant to which Verizon will provide the County with up to 85 cell phones to be used by victims of domestic violence, child abuse, stalking and other violent crimes, with an initial allotment of minutes and text messages for each phone, (the "Cell Phones") at no cost to the County, for a term of six (6) months, commencing upon execution (the "Agreement"); and be it further

RESOLVED, that, consideration for Verizon providing the Cell Phones, the County will agree to indemnify and hold harmless Verizon and its affiliates, agents, officers, and employees from all claims, demands, damages, losses, liabilities, penalties, and expenses, including attorneys' fees, arising out of the County's negligent acts or omissions, breach of the Agreement or breach of any representations or warranties; 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 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 duly authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes hereof.

Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
						\$0

Budget Funding Year(s): _____ Start Date: Upon execution End Date: 6 months after execution.
 (must match resolution)

Funding Source	Tax Dollars	_____
	State Aid	_____
<u>\$0</u>	Federal Aid	_____
(must match resolution)	Other	_____