

**33777**

**TO:** Honorable Members of the Board of Acquisition and Contract

**FROM:** Diane G. Balistreri  
Coordinator, Office for Women

**DATE:** May 6, 2013

**SUBJECT:** Authority to amend a prior Resolution which authorized the County to enter into an agreement with the Women's Enterprise Development Center, Inc. to provide microenterprise training and assistance to poor and minority women for an amount not to exceed \$179,370 for the period January 1, 2013 to December 31, 2015

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On March 28, 2013, your Honorable Board granted authority for the County to enter into an agreement with the Women's Enterprise Development Center, Inc. to provide microenterprise training and assistance to poor and minority women for an amount not to exceed \$179,370 for the period January 1, 2013 to December 31, 2015. The Agreement has not yet been executed.

The last sentence of the first paragraph of the memorandum submitted with the resolution, incorrectly stated as follows: "However, pursuant to the terms of the Agreement, since the County security contract only requires security presence between the hours of 8 A.M. and 6 P.M., the Center will be required to reimburse the County for all security overtime required as a result of the Center's use of County space." This statement was an incorrect recital of the reimbursement provisions of the agreement. As the transmittal memorandum is often the only document containing details that provide the legislative history for this Honorable Board's adoption of the resolution authorizing a contract, it is necessary to correct this error.

The cover memorandum should have read as follows: "However, since the County security contract only requires security presence between the hours of 8 A.M. and 6 P.M., the Center will be required to pay the security agency directly for all security overtime required as a result of the Center's use of County space. The Center then may submit an invoice to the County for reimbursement for fees paid to the security agency for security overtime."

Further, the third "RESOLVED" paragraph of the Resolution approved by your Honorable Board also included the following incorrect language: "Pursuant to the terms of the Agreement, the Center will reimburse the County for all security overtime required due to the Center's use of

County space at the then-current security contract rate.” This should be corrected to:  
“Pursuant to the terms of the Agreement, the Center will be required to pay the security agency directly for all security overtime required as a result of the Center’s use of County space. The Center then may submit an invoice to the County for reimbursement for fees paid to the security agency for security overtime.”

All other terms and conditions of the March 28, 2013 Resolution shall remain unchanged.

Accordingly, I recommend approval of the attached Resolution in order to correct the errors described above.

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/06/2013 - JOMARY VIEIRA, SECRETARY

# RESOLUTION

**WHEREAS**, on March 23, 2013, the Westchester County Board of Acquisition and Contract authorized the County of Westchester to enter into an agreement (the "Agreement") with the Women's Enterprise Development Center, Inc. to provide microenterprise training and assistance to poor and minority women to assist them in reaching economic self-sufficiency, for the period January 1, 2013 to December 31, 2015, for an amount not-to-exceed One Hundred Seventy-Nine Thousand Three Hundred Seventy Dollars (\$179,370), to be paid quarterly pursuant to an approved budget; and

**WHEREAS**, the last sentence of the first paragraph of the transmittal memorandum of the resolution to this Board incorrectly referred to the Center being responsible for all security overtime costs; and

**WHEREAS**, the third "RESOLVED" clause of the Resolution incorrectly referred to the Center being responsible for all security overtime costs;

**NOW, THEREFORE**, be it

**RESOLVED**, that the transmittal memorandum dated February 25, 2013 is hereby amended to correctly specify the following: "However, since the County security contract only requires security presence between the hours of 8 A.M. and 6 P.M., the Center will be required to pay the security agency directly for all security overtime as a result of the Center's use of County space. The Center then may submit an invoice to the County for reimbursement for fees paid to the security agency for security overtime."; and be it further

**RESOLVED**, that the third "RESOLVED" clause of the Resolution dated March 23, 2013 is hereby amended to read: "Pursuant to the terms of the Agreement, the Center will be required to pay the security agency directly for all security overtime required as a result of the Center's use of County space. The Center then may submit an invoice to the County for reimbursement for fees paid to the security agency for overtime."; and be it further

**RESOLVED**, that all of the other terms and conditions of the transmittal memorandum and Resolution shall remain unchanged; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute any and all documents and take any actions necessary to effectuate the purposes hereof.

Account to be charged/credited:

FUND	DEPT	Major Program, Program & Phase, Or Unit	Object/ Sub-Object	Trust Account	Dollars	Funding Year
					\$0	

**Budget Funding Year(s)** 2013-2015      **Start Date:** 1/1/2013      **End Date:** 12/31/2015  
 (must match resolution)

**Funding Source:** Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 Federal Aid \_\_\_\_\_

\$ \_\_\_\_\_  
 (must match resolution)