

County Executive

Department of Social Services

Kevin McGuire
Commissioner

33840

DATE: May 7, 2013

TO: Board of Acquisition and Contract

FROM: Kevin McGuire, Commissioner
Department of Social Services

SUBJECT: Authority to amend a resolution approved on July 26, 2012, which authorized the County, *inter alia*, to amend an agreement with the City of Mount Vernon, pursuant to which the City would directly hire temporary workers to assist in recovery efforts from damage caused by Hurricane Irene and Tropical Storm Lee, for a term commencing March 5, 2012 and continuing through September 30, 2012 in the total amount not to exceed \$261,294, by additionally authorizing the County to 1) retroactively extend the term of the Agreement through October 31, 2012; and 2) increase the total amount not-to-exceed thereunder by an additional \$596,125

By resolution approved on May 3, 2012 (the "May 3rd Resolution"), your Honorable Board authorized the County of Westchester (the "County"), acting on behalf of the Balance of Westchester/Putnam Local Workforce Investment Area ("WPLWIA"), to enter into agreements with the City of Rye, the City of White Plains and the City of Mount Vernon (the "Municipalities"), pursuant to which the County would allocate to the Municipalities a portion of disaster relief funding received from the New York State Department of Labor ("NYSDOL") to be used by the Municipalities to directly hire and pay the wages of temporary workers to assist in recovery efforts from damage caused by Hurricane Irene and Tropical Storm Lee for a period not to exceed one (1) year from the date of execution in the total aggregate amount not to exceed \$277,133 in the individual amounts set forth in Schedule "A" attached to the May 3rd Resolution. The agreement with the City of Mount Vernon (the "Agreement") was subsequently executed. Although the authority granted by the May 3rd Resolution authorized a term not to exceed one (1) year from the date of execution, the Agreement with the City of Mount Vernon (the "City"), as executed, provided for a term commencing on March 5, 2012 and continuing through September 30, 2012.

Thereafter, by resolution approved on July 26, 2012 (the "July 26th Resolution"), your Honorable Board authorized the County, *inter alia*, to amend the Agreement with the City by

expanding the scope of work thereunder to include supervision of the requested work for which the laborers will be hired by the City and materials necessary for the laborers to do the cleanup work. However, due to an administrative oversight, the amendment to the Agreement with the City, as authorized by the July 26th Resolution, was never executed.

Because of various delays beyond the City's control, the City asked NYSDOL to authorize an extension of the term of the Agreement for an additional month so that it would have sufficient time to complete the project. In addition, the City asked NYSDOL for an additional \$596,125 in NEG funding to compensate it for the increased costs of supervisory wages and fringe benefits which were not anticipated when the original funding request was made. NYSDOL authorized the County to extend the Agreement for an additional month so that the project can be completed by the end of October, 2012 instead of September 30th, 2012. In addition, on May 3, 2013 NYSDOL approved the final installment of the City's request for an additional \$596,125 in NEG funding.

Accordingly, authority is now respectfully requested to amend the July 26th Resolution which authorized the County, *inter alia*, to amend an agreement with the City of Mount Vernon, pursuant to which the City would directly hire temporary workers to assist in recovery efforts from damage caused by Hurricane Irene and Tropical Storm Lee, for a term commencing March 5, 2012 and continuing through September 30, 2012 in the total amount not to exceed \$261,294, by additionally authorizing the County to 1) retroactively extend the term of the Agreement through October 31, 2012; and 2) increase the total amount not-to-exceed thereunder by an additional \$596,125 from \$261,294 to \$857,419.

Except as specifically amended hereby, all remaining terms and conditions set forth in the July 26th Resolution shall remain in full force and effect.

Accordingly, your Board's approval of the attached Resolution is most respectfully requested.

KM/CJ/jpg

RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, be it hereby

RESOLVED, that the County of Westchester, acting on behalf of the Westchester Putnam Local Workforce Investment Area, is hereby authorized to amend a resolution approved on July 26, 2012 (the "July 26th Resolution"), which authorized the County, *inter alia*, to amend an agreement with the City of Mount Vernon (the "City"), pursuant to which the City would directly hire temporary workers to assist in recovery efforts from damage caused by Hurricane Irene and Tropical Storm Lee, for a term commencing March 5, 2012 and continuing through September 30, 2012 in the total amount not to exceed \$261,294 (the "Agreement"), by additionally authorizing the County to 1) retroactively extend the term of the Agreement through October 31, 2012; and 2) increase the total amount not-to-exceed thereunder by an additional \$596,125 from \$261,294 to \$857,419; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions set forth in the July 26th Resolution shall remain in full force and effect; and be it further

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

Original Contract Amount: \$261,294

This Amendment: **\$596,125**

Total \$857,419

Account to be Charged/credited	Fund	Dept.	Unit	Object/ Sub Object	Trust Account	Activity	Dollars
	275	22	087L	7350	T087A	6000	\$596,125

Budget Funding Year(s) : 2011-2012
(must match resolution)

Start Date : 3/5/12 End Date : October 31, 2012

Funding Source

Tax Dollars:

State Aid:

\$ 596,125.14
(must match resolution)

Federal Aid: 100%
Other::