

**40879**

TO: Board of Acquisition and Contract

FROM: Jay T. Pisco, P.E.  
Commissioner of Public Works and Transportation

DATE: June 16, 2014

SUBJECT: Authority to enter into an agreement with the Town of Yorktown to transfer a paratransit bus pursuant to the lottery held on April 30, 2014 in accordance with Section 131.41 of the Laws of Westchester County

As your Honorable board is aware, pursuant to Section 131.41 of the Laws of Westchester County, the County of Westchester (the "County") is authorized to hold a lottery offering surplus or obsolete paratransit buses to Westchester County "municipalities", including cities, towns, villages, boards of cooperative educational services, fire districts, and school districts, for use in conjunction with various local or regional programs that benefit Westchester County residents.

To be considered for the lottery, interested municipalities were required to submit an application stating both the need for the paratransit bus and the way in which it would be used to benefit the citizens of Westchester County. The municipality also needed to indicate in its application that, upon winning the lottery it would enter into an agreement with the County, to certify that it would comply with any restrictions imposed by federal or state funding and hold the County harmless in connection therewith.

The lottery was held on April 30, 2014. The Town of Yorktown was successful in its bid to obtain a paratransit vehicle. The vehicle being assigned is as follows:

<u>Municipality</u>	<u>Year</u>	<u>Make</u>	<u>VIN#</u>
Yorktown	2008	Ford E350	1FD3E35P48DB34452

Authority is requested to enter into an agreement with Yorktown to transfer ownership of the noted paratransit van. The agreement will provide that for the sum of one dollar, the paratransit van is being transferred by the County in "AS IS" condition, that the County makes no representations, guarantees, or warranties, and that Yorktown commits to using the paratransit van for purposes that benefit the citizens of Westchester County.

The goals and objectives of this lottery program are to ensure that the municipalities will be able to use and operate paratransit buses to benefit the citizens of Westchester County.

The proposed agreement is in the public's best interest and will promote the safety and general welfare of the public by offering transportation for those in need. In addition, the proposed agreement provides a valuable asset to the municipality that could not otherwise afford to purchase a new or used vehicle. The Department of Public Works and Transportation will monitor the transfer of each paratransit bus to ensure compliance with the terms of the agreement.

# RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, be it hereby:

**RESOLVED**, that pursuant to the lottery held on April 30, 2014 in accordance with Section 131.41 of the Laws of Westchester County, the County of Westchester, acting by and through its Department of Public Works and Transportation is hereby authorized to enter into an agreement with the Town of Yorktown to transfer the following vehicle:

<u>Municipality</u>	<u>Year</u>	<u>Make</u>	<u>VIN#</u>
Yorktown	2008	Ford E350	1FD3E35P48DB34452

; and be it further

**RESOLVED**, that the listed paratransit van is being transferred by the County in "AS IS" condition, with no representations, guarantees, or warranties for the sum of \$1.00 and a contractual commitment to use the vans for purposes that benefit the citizens of Westchester County; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee, is hereby authorized to execute such documents and take such actions as may be necessary and appropriate to effectuate the purposes hereof.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
						\$1.00 (Waived)

Budget Funding Year(s): \_\_\_\_\_ Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
(must match resolution)

Funding Source: (must match resolution)	Tax Dollars: <u>N/A</u>
	State Aid: _____
	Federal Aid: _____
	Other: _____