

40928

DATE: June 17, 2014

TO: Board of Acquisition & Contract

FROM: Mark C. Fang
Executive Director, Human Rights Director

RE: Authority to amend a resolution approved on March 27, 2014 which authorized the County to enter into an agreement with the City of Yonkers pursuant to which the County, through the Executive Director of the Human Rights Commission, agreed to take discrimination complaints from Yonkers residents one (1) day per week from a satellite office located in Yonkers for a one (1) year term commencing upon execution for a lump-sum fee of \$25,000.00 payable upfront prior to the commencement of services, by changing the commencement date of the agreement from the execution date to January 9, 2014 and providing for payment in full upon execution of the agreement

By resolution approved on March 27, 2014 (the "March 27th Resolution") your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with the City of Yonkers (the "City"), pursuant to which the County, through the Executive Director of the Human Rights Commission (the "Executive Director"), would take discrimination complaints from Yonkers residents one (1) day per week from a satellite office located in Yonkers, make monthly reports to the City concerning the status of such cases, and advise on recommendations for reducing the incidence of human rights violations and complaints in the City, for a one (1) year term commencing upon execution, for a lump-sum fee of Twenty-Five Thousand (\$25,000.00) Dollars, payable upfront prior to the commencement of services (the "Agreement"). The Agreement has not yet been executed.

Due to a misunderstanding, the Executive Director began taking discrimination complaints in Yonkers on or about January 9, 2014 instead of waiting until the contract was actually signed. As such, it would be inaccurate to state that the Agreement would commence "upon execution." Similarly, the City could not pay the \$25,000 fee "upfront and prior to the commencement of services" since services have been provided since January 9, 2014 and payment of the lump sum fee has not yet been made. Accordingly, authority is respectfully requested to amend the March 27th Resolution for the limited purpose of changing the commencement date of the Agreement from the "execution date" to January 9, 2014 and providing for payment in full "upon execution of the agreement", instead of "upfront and prior to the commencement of services."

Except as specifically amended hereby, all remaining terms and conditions set forth in the March 27th Resolution shall remain unchanged.

An appropriate resolution is herewith attached for your Honorable Board's consideration.

MCF/jpg

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/22/2014 - JOAN COCCIARDI,

RESOLUTION

UPON A COMMUNICATION FROM THE EXECUTIVE DIRECTOR, WESTCHESTER COUNTY HUMAN RIGHTS COMMISSION, BE IT HEREBY:

RESOLVED, that the resolution approved on March 27, 2014 (the "March 27th Resolution") which authorized the County of Westchester (the "County") to enter into an agreement with the City of Yonkers (the "City") pursuant to which the County, through the Executive Director of the Human Rights Commission, would take discrimination complaints from Yonkers residents one (1) day per week from a satellite office located in Yonkers, make monthly reports to the City concerning the status of such cases, and advise on recommendations for reducing the incidence of human rights violations and complaints in the City, for a one (1) year term commencing upon execution, for a lump-sum fee of Twenty-Five Thousand (\$25,000.00) Dollars payable upfront prior to the commencement of services, is hereby amended by changing the commencement date of the Agreement from the "execution date" to January 9, 2014 and providing for payment in full upon execution of the agreement, instead of upfront and prior to the commencement of services; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions set forth in the March 27th Resolution shall remain unchanged; and be it further

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

Agreement #
Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
	101	52	1000	9734		\$25,000

Budget Funding Year(s) 2014 Start Date January 9, 2014 End Date January 8, 2015

(must match resolution)

Funding Source

Tax Dollar \$25,000

State Aid _____

\$ 25,000

Federal Aid _____

(must match resolution)

Other Revenue _____