

41539

Date: July 29, 2014

To: The Honorable Board of Acquisition and Contract

From: Thomas J. Lauro, PE
Commissioner of Environmental Facilities

Re: Authority to enter into an agreement with Samuel G. Fredman, Esq., to provide hearing officer services to the County for the period May 1, 2014 through April 30, 2015, for an amount not-to-exceed \$10,000.

Authority is hereby requested for the County of Westchester (the "County"), acting by and through its Department of Environmental Facilities (the "Department"), to enter into an agreement with Samuel G. Fredman, Esq., pursuant to which Mr. Fredman will provide hearing officer services to the County and hold hearings on an "as needed" basis in connection with violations of the County Source Separation Law pursuant to Chapter 825 of the Laws of Westchester, for the period from May 1, 2014 through April 30, 2015, for an amount not-to-exceed \$10,000, payable at a rate of One Hundred Fifty Dollars (\$150.00) per hour. In addition, the County will defend and indemnify Mr. Fredman from and against any action or proceeding based on any claim or cause of action arising from or in connection with this agreement.

The proposed agreement will serve a public purpose by ensuring that the County Source Separation Law is effectively enforced. The goal and objective of the proposed agreement is to ensure that the County has the hearing officer services necessary to continue provide hearings for violations in connection with the County Source Separation Law pursuant to Chapter 825 of the Laws of Westchester. The goal and objective of the proposed agreement will be tracked by the Department of Environmental Facilities.

Authority to exempt this agreement from the requirements of the Westchester County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, has been submitted to your Honorable Board in accordance with a separate resolution of even date herewith.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

TL/eos/nn

RESOLUTION

Upon a communication from the Commissioner of Environmental Facilities, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Environmental Facilities (the "Department"), is hereby authorized to enter into an agreement with Samuel G. Fredman, Esq., pursuant to which Mr. Fredman will provide hearing officer services to the County and hold hearings on an "as needed" basis in connection with violations of the County Source Separation Law pursuant to Chapter 825 of the Laws of Westchester, for the period May 1, 2014 through April 30, 2015, for an amount not-to-exceed \$10,000, payable at a rate of One Hundred Fifty (\$150.00) Dollars per hour; and be it further

RESOLVED, that the County will defend and indemnify Mr. Fredman from and against any action or proceeding based on any claim or cause of action arising from or in connection with this agreement; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purpose hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
251	60	7700	4380		\$10,000.00

Budget Funding Year(s) 2014-2015 Start Date 05/01/14 End Date 4/30/15
(must match resolution)

Funding Source Tax Dollars \$10,000

State Aid _____

\$10,000 Federal Aid _____

(must match resolution)

Other _____