



42759

Date: October 17, 2014

To: Honorable Members of the Board of Acquisition and Contract

From: Hon. Michael B. Kaplowitz, Chairman  
Westchester County Board of Legislators

Re: Authority to enter into an agreement with O'Connor Davies, LLP, pursuant to which O'Connor Davies, LLP will provide the Board of Legislators with an analytical review of, and report on, the proposed County budget.

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Authority is requested for the County of Westchester (the "County"), acting by and through its Board of Legislators (the "Board"), to enter into an agreement with O'Connor Davies, LLP ("O'Connor Davies"), pursuant to which O'Connor Davies will provide the Board with an analytical review of, and report on, the proposed County budget, for a term November 1, 2014 through October 31, 2015 (the "Initial Term"), for an amount not-to-exceed \$140,000, with the County having the sole option to extend the term for up to two (2) additional one (1) year terms (each an "Option Term"), for an amount not-to-exceed \$143,000 for the first option year and an amount not-to-exceed \$146,000 for the second option year (the "Agreement"). Under the Agreement, during the Initial Term and any Option Term, O'Connor Davies shall be paid seventy-five percent (75%) of the annual total not-to-exceed amount upon completion of that year's field work and be paid twenty-five percent (25%) of the annual total not-to-exceed amount upon submission of that year's final report to the Board of Legislators.

In accordance with Section 7 of the Westchester County Procurement Policy, the Board issued a request for qualifications and sent a request to each of the following eleven (11) vendors:

- 1.) Citrin Cooperman & Company, LLP
- 2.) D'Arcangelo & Co., LLP
- 3.) Baker Tilly Virchow Krause, LLP
- 4.) O'Connor Davies
- 5.) Sedore & Company, C.P.A.'s, P.C.
- 6.) Toski & Associates, CPA's, P.C.
- 7.) UHY LLP
- 8.) Drescher & Malecki, LLP
- 9.) McGladrey LLP
- 10.) Center for Governmental Research, Inc.
- 11.) Albrecht, Viggiano, Zureck & Company, P.C.

In response, the County received statements of qualifications from four (4) vendors:

- 1.) O'Connor Davies
- 2.) Center for Governmental Research, Inc.
- 3.) Sedore & Company, C.P.A.'s, P.C.
- 4.) Albrecht, Viggiano, Zureck & Company, P.C.

Based on a review of the statements of qualifications that were received, the Board determined that it was most advantageous to the County to enter into an agreement with O'Connor Davies for the required services, as O'Connor Davies is a local firm and will do on-site work; has a significant number of employees to perform the necessary work; has a quality work plan; and is familiar with the County budget because it has been a County auditor for almost thirty years.

The proposed Agreement will serve a public purpose by assisting the Board in reviewing and analyzing the proposed County budget.

The goals and objectives of the proposed Agreement are to provide the Board with assistance in reviewing and analyzing the proposed County budget.

The goals and objectives of the proposed Agreement are in the best interests of the County in terms of fiscal responsibility, as it will provide the Board with assistance in reviewing and analyzing the proposed County budget and thereby enable the Board to make prudent and informed decisions regarding the County budget.

The goals and objectives of the proposed Agreement will be tracked and monitored by the staff of the Board.

I respectfully recommend the adoption of the attached resolution.

MBK/SS/bdm/nn

APPROVED BOARD OF ACQUISITION CONTRACT - 11/13/2014 JIMMY VIEIRA, SECRETARY

## RESOLUTION

Upon a communication from the Chairman of the Westchester County Board of Legislators, be it hereby

**RESOLVED**, that the County of Westchester (the "County"), acting by and through its Board of Legislators (the "Board"), is authorized to enter into an agreement with O'Connor Davies, LLP ("O'Connor Davies"), pursuant to which O'Connor Davies will provide the Board with an analytical review of, and report on, the proposed County budget, for a term November 1, 2014 through October 31, 2015 (the "Initial Term"), for an amount not-to-exceed \$140,000, with the County having the sole option to extend the term for up to two (2) additional one (1) year terms (each an "Option Term"), for an amount not-to-exceed \$143,000 for the first option year and an amount not-to-exceed \$146,000 for the second option year (the "Agreement"); and be it further

**RESOLVED**, that under the Agreement, during the Initial Term and any Option Term, O'Connor Davies shall be paid seventy-five percent (75%) of the annual total not-to-exceed amount upon completion of that year's field work and be paid twenty-five percent (25%) of the annual total not-to-exceed amount upon submission of that year's final report to the Board of Legislators; and be it further

**RESOLVED**, that the Agreement is subject to County appropriations; and be it further

**RESOLVED**, that the Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the

adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Consultant, then the Consultant shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the Chairman of the Westchester County Board of Legislators, or his authorized designee, is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

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APPROVED BOARD OF ACQUISITION CONTRACT 1/1/2014 - GOMERY VIEIRA, SECRETARY

Account to be

Charged/Credited

Date	Fund	Dept	Major Program , Program & Phase  Or Unit	Object/ Sub- Object	Trust Account	Dollars
	101	10	1000	4380		\$140,000

Budget Funding Year(s): 2014 /2015

Start Date: 11/1/14 End

Date: 10/31/15

(must match resolution)

Funding Source

Tax Dollars: \_\$140,000

State Aid: \_\_\_\_\_

**\$140,000.00**

Federal Aid: \_\_\_\_\_

(must match resolution)

Other: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/13/2014 - JOMARY VIEIRA, SECRETARY