

## Memorandum Department of Public Safety

## 46970

**DATE:** May 27, 2015

**TO:** Board of Acquisition and Contract

FROM: George N. Longworth

Commissioner of Public Safety

RE: Authorization to Amend an Existing Short Form Contract with Century Protective Services, Inc., for

the provision of temporary 24/7 security officer services to monitor a person with Tuberculosis (TB) placed in isolation at a local hospital by Court Order, to Extend the Term from June 8, 2015 through October 9, 2015 and increase the Not-to-Exceed Amount by an additional \$67,500 for a revised Total Not-to-Exceed Contract Amount of \$87,500, payable at the stated contract rate

The County of Westchester, acting by and through its Department of Public Safety, entered into a "short form" contract on April 30, 2015 with Century Protective Services, Inc. to provide temporary 24/7 security officer services to monitor a person with Tuberculosis (TB) placed in isolation at a local hospital by Court Order, for the period 05/01/2015 through 06/08/2015 in the not-to-exceed amount of \$20,000, payable at the stated contract rate. This contract has been executed (the "Agreement").

The existing agreement will shortly end or funding will be spent before the end date, and the County will require an uninterrupted continued need for these services through the next Court date, and depending on the Court decision rendered, for an additional period of time thereafter. The additional term would take into account the time it would take to do a public bid and to complete paperwork to execute the contract, if a long-term contract proves to be necessary.

Therefore, the County is now requesting authorization to amend the Agreement with Century Protective Services, Inc. in order to extend the term from June 8, 2015 through October 9, 2015 and increase the not-to-exceed amount by an additional \$67,500, to provide continued 24/7 security officer services, for a revised total not-to-exceed contract amount of \$87,500, payable at the stated contract rate.

Continuation of the Agreement will promote the public health, safety and general welfare of Westchester County residents by ensuring that any person with Tuberculosis who is hospitalized and placed in isolation for observation and treatment under Court Order, is monitored to ensure the person remains in the hospital during the treatment duration. This is also in accordance with New York State Public Health Law.

The goal and objective is to ensure the person receives the necessary medical care for this communicable disease.

The services to be provided under this Agreement will be tracked and monitored through the security officer's reports to his supervisor. The security officer will also contact the Department of Public Safety in the event the person attempts to leave the hospital.

The extension of this Agreement would be allowable under the emergency contract exception to public bidding in General Municipal Law section 103, subsection 4 which reads as follows-

"Notwithstanding the provisions of subdivision one of this section, in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let by the appropriate officer, board or agency of a political subdivision or district therein."

All other terms and conditions of the original Agreement shall remain the same.

Your approval of the attached Resolution is respectfully requested.

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## RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PUBLIC SAFETY, be it hereby

RESOLVED, that the County of Westchester, acting by and through its Department of Public Safety, is authorized to amend an existing agreement with Century Protective Services, Inc., for the provision of temporary 24/7 security officer services to monitor a person with Tuberculosis (TB) placed in isolation at a local hospital by Court Order, in order to extend the term from June 8, 2015 through October 9, 2015 and increase the Not-to-Exceed Amount by an additional \$67,500 for a revised Total Not-to-Exceed Contract Amount of \$87,500, payable at the stated contract rate; and, be it further,

**RESOLVED**, that all other terms and conditions of the original Agreement will remain unchanged; and, be it further

RESOLVED, that this Agreement is subject to County Appropriations; and, be it further

RESOLVED, that this 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 1ght to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and, be it further

RESOLVED that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

Original Agreement \$20,000 First Amendment \$

Second Amendment \$

\$67.500

(must match resolution)

**This Amendment** \$67,500 TOTAL \$87,500

Account to be			Major Program,			
Charged/Credited			Program & Phase	Object/	Trust	
	Fund	Dept	or Unit	Sub-Object	Account	Dollars
	101	27	0010 - 5200	4238		\$67,500
Budget Funding Yea (must match resolut	. ` `.	15	Start Date	06/09/15	End Dat	te <u>10/09/15</u>
Funding Source Tax Dollars State Aid			\$43,200 (64%) \$24,300 (36%)			

Federal Aid Other