

49705

Date: November 20, 2015

To: The Honorable Board of Acquisition and Contract

From: Kunjlata Ashar, M.D.
Medical Examiner/ Pathologist
Department of Laboratories & Research

Re: **Resolution authorizing the County of Westchester to exercise its second option to renew with On Assignment Staffing Services, Inc., for the provision of temporary laboratory personnel on an as-needed basis, at a total cost to the County not to exceed One Hundred Forty-Nine Thousand Twenty-Five (\$149,025) Dollars, for this one (1) year extension period, commencing on January 1, 2016 and terminating on December 31, 2016**

On February 12, 2014 your Honorable Board approved a resolution that authorized the County of Westchester (the "County") acting by and through its Department of Labs and Research (the "Department") to enter into an agreement (the "Agreement") with On Assignment Staffing Services, Inc. ("On Assignment"), for the provision of temporary laboratory personnel on an as-needed basis, at a total annual cost to the County not to exceed One Hundred Ninety Seven Thousand Seven Hundred Seventy Five (\$197,775.00) Dollars for the one (1) year period commencing on January 1, 2014 and terminating on December 31, 2014, with options exercisable in the County's sole discretion to renew the Agreement for four (4) additional one (1) year periods. The first option to renew for calendar year 2015 was duly executed.

The County, acting by and through the Department is now desirous of exercising its second option to renew the Agreement for an additional one (1) year term at a total amount not to exceed One Hundred Forty -Nine Thousand Twenty-Five (\$149,025.00) Dollars, for this one (1) year option period from January 1, 2016 through December 31, 2016. Accordingly, authority is hereby requested from your Honorable Board for the County to exercise its second option to renew the Agreement for an additional one (1) year term payable in accordance with the rates set forth in Exhibit "A" annexed hereto.

The goal and objective of the Agreement is to provide the residents of Westchester County with the most qualified temporary lab personnel to conduct forensic and public health analysis. The value and importance of these services are in the best interest of the County in

terms of ensuring continued public health and safety. The goal and objective will be tracked and monitored by each division which maintains attendance records and the proficiency of the temporary personnel. These personnel are paid on an hourly basis for which the County is billed weekly. Division heads approve weekly timesheets which are forwarded to the vendor and returned with the weekly billing.

This second renewal of the Agreement is exempt under section 3(a)(viii) of the Westchester County Procurement Policy, which exempts, among other things, contracts for the services of laboratory technicians. However, it is subject to the requirements of the Federal Common Grant Rules and therefore a Request For Proposals was issued in 2013 for the procurement of the services provided under the Agreement. At that time, On Assignment was determined to be the most advantageous vendor to the County for the provision of these services. The Federal Common Grant Rules also require grantees to conduct a price or cost analysis prior to exercising a renewal option for agreements paid with grant funds. In order to comply with this requirement, the Department sent requests for information to three vendors that provide similar services. Information was not available to be obtained from two vendors (Maxim Staffing Solutions Inc. and Joule Staffing Solutions). Titan Medical Inc. responded with rates that were significantly higher than On Assignment.

On Assignment has always been very responsive to the Department's needs and has historically provided the Department with excellent service at a good price. Accordingly, I recommend that your Honorable Board approve the attached Resolution authorizing the County to exercise its second option to renew the Agreement with On Assignment.

Attachment

RESOLUTION

Upon a communication from the Medical Examiner/Pathologist, be it hereby:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to exercise its second option to renew an agreement (the "Agreement") with On Assignment Staffing Services, Inc. for the provision of temporary lab personnel on an as-needed basis, at a total annual cost to the County not to exceed One Hundred Forty-Nine Thousand Twenty-Five (\$149,025.00) Dollars, for this one (1) year extension period commencing on January 1, 2016 and terminating on December 31, 2016 to be paid in accordance with the rates set forth in Exhibit "A" annexed hereto; and be it further

RESOLVED, that all remaining material terms and conditions of the Agreement shall remain the same; 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 budget of the State of New York and/or the adoption of a State Budget or any amendments thereto, and after the County has a reasonable period of time to conduct an analysis of the impacts of any such budget(s) on County finances, to terminate the agreement authorized herein or to renegotiate the amount 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, is hereby authorized to execute such documents and take such actions as may be necessary and appropriate to effectuate the purposes hereof.

Schedule A

**Westchester County Department of Labs and Research
Personnel Service Rates
2016**

<u>Category</u>	<u>Rate</u>
TT-1	\$22.50/hr.
TT-2	\$27.25 - \$30.65/hr.
TT-3	\$34.25 - \$48.00/hr.
Criminal Background	\$87.88

Months of Completed Temporary Service	0	1	2	3	4	5	6
Percentage of Annual Compensation	25%	21%	17%	13%	9%	5%	0%

Based upon 173.33 hours/month

Bill Rate Includes:

- Employee's pay rate
- Laboratory grade Worker's Compensation
- Liability Insurance
- Employer's portion of social security
- Unemployment insurance
- Employee benefits program – including medical & dental coverage options, direct deposit, paid holidays and employee appreciation bonus
- OSHA-compliant Health & Safety program