

51570

DATE: March 23, 2016

TO: Board of Acquisition and Contract

FROM: Kevin J. Plunkett
Deputy County Executive

RE: Request for authority to amend a resolution dated March 17, 2016 which authorized the County to enter into an agreement with the Hudson River Museum of Westchester (the "Museum") pursuant to which the Museum shall provide various artistic, cultural and educational programs to the public and to schools throughout the County for the period of January 1, 2016 through December 31, 2016 for an amount not to exceed \$667,000 pursuant to an approved budget by correcting the not-to-exceed amount to a new amount not to exceed \$677,000.

Authority is requested for your Honorable Board to amend a resolution dated March 17, 2016 which authorized the County to enter into an agreement with the Museum pursuant to which the Museum shall provide various artistic, cultural and educational programs to the public and to schools throughout the County for the period from January 1, 2016 through December 31, 2016 for an amount not to exceed \$667,000 by correcting the not-to-exceed amount to a new total amount not to exceed \$677,000.

By resolution dated March 17, 2016, your Honorable Board authorized the County to enter into an agreement with the Museum for the above-described services for the period commencing January 1, 2016 and continuing through December 31, 2016 for an amount not to exceed \$667,000, pursuant to an approved budget, in quarterly installments. The not-to-exceed amount of the authorization should have been \$677,000 and therefore now a revision to a new, total not-to-exceed amount of \$677,000 is requested. All other terms and conditions of the March 17, 2016 resolution shall remain the same.

The contract will serve a public purpose by enhancing the quality of life for Westchester residents as well as visitors from outside the County, through a wide array of high quality cultural and educational programming and exhibits including planetarium programs.

Quarterly and annual performance reports will be submitted to the County Executive's Office by the contractor which will enable the County to track the progress of the contractor in meeting the established goals and objectives of this program.

The goals and objectives of this agreement are to provide cultural, artistic and educational experiences offered by the Museum to the residents of Westchester County. The contract will serve a public purpose by enhancing the quality of life for Westchester residents as well as visitors from outside the County, through a wide array of high quality cultural and educational programming and exhibits including planetarium programs.

This Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)xiii thereof. Authority for the County to enter into the Agreement with the Hudson River Museum of Westchester for the purposes as herein described is most respectfully requested.

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/24/2016 - LISA MRIJAJ, SECRETARY

RESOLUTION

Upon a communication from the Deputy County Executive, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend a resolution dated March 17, 2016 which authorized the County to enter into an agreement with the Hudson River Museum of Westchester (the "Museum") pursuant to which the Museum shall provide various artistic, cultural and educational programs to the public and to schools throughout the County for the period from January 1, 2016 through December 31, 2016 for an amount not to exceed \$667,000 by correcting the not-to-exceed amount to a new total amount not to exceed \$677,000; and be it further

RESOLVED, that all other terms and conditions of the March 17, 2016 resolution shall remain the same; 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 right 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 is authorized to execute said agreement and all documents necessary to effectuate the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	52	2015	5100		\$677,000

Budget Funding Year(s) 2016 Start Date 01/01/2016 End Date 12/31/2016

(must match resolution)

Funding Source

Tax Dollars \$677,000

State Aid _____

\$677,000
(must match resolution)

Federal Aid _____

Other _____