



Office of the County Attorney

52752

Date: September 14, 2016

To: Honorable Board of Acquisition and Contract

From: Robert F. Meehan  
County Attorney

Re: Resolution to exempt from the Westchester County Procurement Policy an Agreement with Enrique J. Calderin d/b/a EJC Investigative Services for the provision of Investigative Services in connection with the civil action Miguel Lopez v. County of Westchester, Salvatore Ficarotta, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures.

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Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy a contract with Enrique J. Calderin d/b/a EJC Investigative Services, pursuant to which Mr. Calderin will provide the County with investigative services in connection with the civil matter Miguel Lopez v. County of Westchester, Salvatore Ficarotta, for a term commencing on September 12, 2016 and continuing through September 11, 2017 for an amount not-to-exceed Twenty Thousand (\$20,000.00) dollars, payable at the rate of Eighty (\$80.00) dollars per hour plus reimbursement for mileage at the rate of Fifty Five (\$.55) cents per mile.

Ordinarily, under Section 5(a) of the Procurement Policy, the County is required to obtain written or oral quotations from no fewer than three persons customarily providing such services, and, if deemed appropriate, to inquire as to the qualifications and experience of such persons. However, Mr. Calderin, a retired New York City police officer with over 20 years on the force, is uniquely qualified to provide investigative services for the County in this matter. In addition to his experience as a New York City police officer, since 2004 Mr. Calderin has been a private investigator with extensive experience locating and interviewing witnesses, conducting surveillance and testifying in numerous civil trials. Moreover, my office has utilized Mr. Calderin to conduct investigations in connection with several recent civil matters and he has done outstanding work. In addition, because of his past experience working with attorneys from my office, Mr. Calderin is already familiar with my office's practices and procedures and is thus uniquely qualified to assist in this matter.

Pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of this agreement from the County Procurement Policy.

Accordingly, a resolution to exempt the procurement of a contract with Enrique J. Calderin d/b/a EJC Investigative Services, is hereby submitted for your consideration.

RFM/jpg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/22/2016 - USA-MRIJAS/CFE/AF

## **RESOLUTION**

Upon a communication from the County Attorney, be it hereby:

**RESOLVED**, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an agreement with Enrique J. Calderin d/b/a EJC Investigative Services for the provision of investigative services in connection with the civil matter Miguel Lopez v. County of Westchester, Salvatore Ficarotta.

APPROVED BOARD OF ACQUISITION & CONTRACTS 09/22/2016 LISA MARIJAJ, SECRETARY