

**58465**

Date: August 11, 2017

To: The Honorable Board of Acquisition and Contract

From: George N. Longworth  
Commissioner – Sheriff of Public Safety

RE: Authority to amend an agreement with the New York State STOP-DWI Foundation, as previously amended, pursuant to which the Foundation agreed to reimburse the County a total amount not-to-exceed \$32,372.00 to run special enforcement details that will conduct high visibility road checks, saturation patrols, and drug recognition expert call outs for a term commencing on October 1, 2016 and continuing through September 30, 2017, by increasing the not-to-exceed amount thereunder by an additional \$3,000, from an amount not-to-exceed \$32,372.00 to a new total amount not-to-exceed \$35,372.00.

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By resolution approved on October 27, 2016, your Honorable Board authorized the County of Westchester (the “County”) acting by and through the Department of Public Safety Services (the “Department”), STOP-DWI Office (“STOP DWI Office”) to, *inter alia*, enter into an agreement with the New York State STOP-DWI Foundation, a not-for-profit agency (“The Foundation”) pursuant to which the Foundation agreed to reimburse the County in an amount not-to-exceed \$27,372.00 to be used to run special enforcement details that will conduct high visibility road checks, saturation patrols, and drug recognition expert call outs for a term commencing on October 1, 2016 and continuing through September 30, 2017 (the “Agreement”). The Agreement was subsequently executed.

Thereafter, by resolution approved on August 10, 2017, your Honorable Board authorized the County to amend the Agreement with the Foundation by increasing the not-to-exceed amount authorized thereunder by an additional \$5,000.00, from an amount not-to-exceed \$27,372.00 to an amount not-to-exceed \$32,372.00 (the “First Amendment”). The First Amendment was subsequently executed.

The STOP DWI Office was recently notified by the Foundation that effective August 7, 2017, the Foundation would increase the County’s allotted crackdown money by an additional \$3,000.00. Accordingly, authority is now requested to further amend the Agreement with the Foundation pursuant to which the Foundation agreed to reimburse the County a total amount not-to-exceed \$32,372.00 to run special enforcement details that will conduct high visibility road checks, saturation patrols, and drug recognition expert call outs for a term commencing on October 1, 2016 and continuing through September 30, 2017, by increasing the total not-to-exceed amount authorized thereunder by an additional \$3,000.00, from an amount not-to-exceed \$32,372.00 to a new total amount not-to-exceed \$35,372.00.

Except as specifically amended hereby, all remaining terms and conditions of the Agreement, as previously amended, shall remain in full force and effect.

The Agreement with the Foundation does not constitute a procurement and as such is not subject to the requirements of the County Procurement Policy.

I certify that my department, a) has copies of, or access to all applicable laws, rules, regulations, reimbursement applications, and the Reimbursement Agreement (including any master agreement), as

well as any guidance or instructions received from the Foundation, b), has reviewed the terms of the Reimbursement Agreement, c) is aware of and understands all of the Special Enforcement Program Terms, and d) can and will comply with all of the Special Enforcement Program Terms.

The goals and objectives of the Agreement are to reduce the number of deaths and injuries in the County caused by intoxicated or drugged drivers. The Agreement is in the public's best interest as it will reduce the number of DWI and drugged driving deaths and injuries.

Based upon the foregoing, I most respectfully recommend approval of the attached Resolution.

GNL/PMT/jpg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/08/2017 - LISA MARIJAJ, SECRETARY

**RESOLUTION**

Upon a communication from Commissioner-Sheriff of Public Safety, be it hereby

**RESOLVED**, that the County of Westchester, acting by and through the Department of Public Safety Services, STOP-DWI Office, is authorized to further amend an agreement with the New York State STOP-DWI Foundation, a not-for-profit agency ("The Foundation"), as previously amended, pursuant to which the Foundation agreed to reimburse the County a total amount not-to-exceed \$32,372.00 to be used to run special enforcement details that will conduct high visibility road checks, saturation patrols, and drug recognition expert call outs for a term commencing on October 1, 2016 and continuing through September 30, 2017 (the "Agreement"), by increasing the total not-to-exceed amount authorized thereunder by an additional \$3,000.00, from an amount not-to-exceed \$32,372.00 to a new total amount not-to-exceed \$35,372.00; and be it further

**RESOLVED**, that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect; and be it further

**RESOLVED**, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all action necessary and appropriate to effectuate the purposes hereof.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
711	71	009R/009S	8500	T009	3,000.00

Budget Funding Year(s) 2016-2017 Start Date: 10/1/2016 End Date: 09/30/2017(must match resolution)

Funding Source                      Tax Dollars \_\_\_\_\_  
    State Aid: \$3,000.00 \_\_\_\_\_  
\$ 3,000.00                              Federal Aid \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_