

## # 62563

DATE: April 10, 2018

TO: Honorable Board of Acquisition and Contract

FROM: Kunjlata Ashar, M.D.  
Medical Examiner/Pathologist  
Department of Laboratories and Research

RE: Request for authority for the County of Westchester to enter into an agreement with National Medical Services, Inc. to provide specialized laboratory testing services and expert testimony for the Department of Laboratories and Research for an amount not to exceed \$35,000 at the rates stated in Schedule "A"; for a term from June 1, 2018 through May 31, 2019.

---

Attached is a proposed resolution requesting authorization for the County of Westchester (the "County"), acting by and through its Department of Laboratories and Research (the "Department"), to enter into an agreement with National Medical Services, Inc., located at 3701 Welsh Road, Willow Grove, Pennsylvania (the "Consultant"), to provide specialized laboratory testing services and expert testimony for an amount not to exceed Thirty-Five Thousand (\$35,000) Dollars at the rates stated in Schedule "A" of the attached proposed resolution, for a term from June 1, 2018 through May 31, 2019 (the "Agreement").

The Agreement is in the County's best interest as it will promote the public safety of County residents and the services pursuant thereto will be used to detect chemical/drug abuse by persons suspected of DWI offenses and drug use by deceased subjects of the County Medical Examiner.

The goals and objectives of this program are to provide the residents of Westchester County with chemical/drug abuse detection services.

The goals and objectives of the Agreement will be tracked and monitored by the Department's Toxicology Division which shall track all sample submissions, receive all Consultant test results, and approve all County payments to the Consultant for its services.

The Consultant has been providing the aforementioned testing services to the Department for the past several years and has satisfactorily provided the level and array of testing required by the Department.

The Agreement with the Consultant is exempt from the Westchester County Procurement Policy pursuant to Policy section 3(a)(vii) which exempts “contracts for the services of expert witnesses” and Policy section 3(a)(viii) which exempts “contracts for “medical or health-related services.”

I therefore recommend adoption of the annexed proposed Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/03/2018 - LISA MRJAJ, SECRETARY

**RESOLUTION**

Upon a communication from the Medical Examiner of the Department of Laboratories and Research, be it hereby:

**RESOLVED**, that the County of Westchester (the "County"), acting by and through its Department of Laboratories and Research, is authorized to enter into an agreement with National Medical Services, Inc. located at 3701 Welsh Road, Willow Grove, Pennsylvania (the "Consultant") to provide specialized laboratory testing services and expert testimony for an amount not to exceed Thirty-Five Thousand (\$35,000) Dollars at the rates stated in Schedule "A" attached hereto; for a term from June 1, 2018 through May 31, 2019 (the "Agreement"); 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 Consultant, then the Consultant 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 take such action and execute such documents as may be necessary and proper 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	31	0010-3200	4380		\$20,417. (2018)
101	31	0010-3200	4380		\$14583.00 (2019)

Budget Funding Year(s): \_\_\_\_\_ Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
 (must match resolution)  
 Funding Source Tax Dollars     \$ 35,000.      
 State Aid \_\_\_\_\_  
 \$     35,000.     Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_

**SCHEDULE "A"**

SEE ATTACHED

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/03/2018 - LISA MRIJAJ, SECRETARY