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66393

TO: Board of Acquisition and Contract

FROM: Reginald A. LaFayette
Commissioner of Board of Elections

Douglas A. Colety
Commissioner of Board of Elections

DATE: December 17, 2018

SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement with East Side Movers, Inc. for moving and storage services of lever voting machines January 1, 2019 to December 31, 2021 in an amount not to exceed \$42,000.00, payable pursuant to an approved budget and subject to appropriations.

Authority is hereby requested from your Honorable Board for the County of Westchester ("County") to enter into an agreement with East Side Movers, Inc. for moving and storage services approximately two hundred fifty (250) lever voting machines along with any and all miscellaneous items related to voting machines for the term January 1, 2019 to December 31, 2021, in an amount not to exceed \$42,000.00, payable pursuant to an approved budget and subject to appropriation.

Pursuant to New York State Election Law, the County is required to retain control of the old lever machines and the County does not have the necessary space to house these machines in County-owned facilities. Since the County does not have sufficient space to house all the machines that the law requires, it has in the past contracted with a private warehouse to store these machines. Additional machines may be added to the current number of machines as local municipalities turn them over to the County.

In accordance with Section 5(b) of the Westchester County Procurement Policy, quotations were solicited and two entities submitted quotations. East Side Movers, Inc. submitted the lowest price and has satisfactorily performed services on behalf of the County in the past.

The objective of this agreement is in the County's best interest since it will authorize the County to store the lever style voting machines in accordance with New York State Election Law, thus, avoiding any possible fines and/or penalties. The vendor's performance shall be tracked monthly by review and payment of invoices along with the periodic review of the condition of the voting machines by Board of Elections staff.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

RAL/DAC/wgm/di
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/31/2019 - LEGAL COUNSEL SECRETARY

RESOLUTION

Upon a communication from the Commissioners of the Board of Elections, be it hereby

RESOLVED, that the County of Westchester (“County”) is authorized to enter into an agreement with East Side Movers, Inc. for moving and storage services of lever voting machines for the term January 1, 2019 to December 31, 2021, in an amount not to exceed \$42,000.00, payable pursuant to an approved budget (“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 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 any and all actions as may be 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
Budget Funding Year(s)	101	14	1000	4380		\$42,000.00

2019 – 2021 Start Date: **01/01/2019** End Date: **12/31/2021**
 (must match resolution)

Funding Source Tax Dollars \$42,000.00

State Aid _____

Federal Aid _____

\$42,000.00 Other _____
 (must match resolution)