

67791

Date: February 12, 2019

To: The Honorable Board of Acquisition and Contract

From: George Latimer
County Executive

RE: Amending a resolution that authorized the Westchester County Executive to issue authorizations to department, board or commission heads for the purpose of enabling them to execute contracts pursuant to Sections 161.01 and 161.11(1)(c) of the Laws of Westchester County, in order to increase the total value limit for such contracts from \$20,000.00 to \$35,000.00.

By a resolution approved on January 11, 2018 (the "Original Resolution"), your Honorable Board, pursuant to Sections 161.01 and 161.11(1)(c) of the Laws of Westchester County, authorized me, as the Westchester County Executive, to issue certificates of authorization to the heads of the departments, boards or commissions listed therein, empowering them, pursuant to Sections 161.01 and 161.11(1)(c) of the Laws of Westchester County, to execute contracts without submitting a resolution to the Board of Acquisition and Contract, subject to certain conditions. These contracts are commonly called "short form" contracts.

The Original Resolution required that, except for certain exemptions for the Commissioner of Parks, Recreation and Conservation, the Commissioner of Social Services, the Commissioner of Finance, and the President of Westchester Community College ("WCC"), as described in the Original Resolution, the certificates issued to the heads of departments, boards or commissions specify the condition that the total value of each such contract not exceed \$20,000.00.

The \$20,000.00 value limit has been in place for over 25 years. Based on inflation and increased costs over that time, the \$20,000.00 value limit no longer allows, in the present day, purchases that would have been envisioned and feasible when the \$20,000.00 value limit was first put in place. Therefore, I respectfully request that your Honorable Board amend the Original Resolution in order to increase the total value limit for "short form" contracts from \$20,000.00 to \$35,000.00.

Except as specifically described above, all terms and conditions of the Original Resolution shall remain in full force and effect.

Copies of the revised standard form of the certificate of authorization, as well as the revised special certificates of authorization, as noted above, for the Commissioner of Parks,

Recreation and Conservation; Commissioner of Social Services; and Commissioner of Finance; are attached to the resolution for your review and reference. The authorization for the President of WCC will not have to be modified, as the President already has authority to enter into “short form” agreements for up to \$100,000.00, with the approval of the Board of Trustees of WCC.

I respectfully recommend that your Honorable Board adopt the attached resolution.

GL/JMN/bdm/nn
Attachments

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/14/2019 - LISA MRISAJ, SECRETARY

RESOLUTION

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

RESOLVED, that the resolution approved on January 11, 2018, pursuant to Sections 161.01 and 161.11(1)(c) of the Laws of Westchester County, which authorized the Westchester County Executive to issue certificates of authorization to the heads of the departments, boards or commissions listed therein, empowering them, pursuant to Sections 161.01 and 161.11(1)(c) of the Laws of Westchester County, to execute contracts without submitting a resolution to the Board of Acquisition and Contract, subject to certain conditions, (the "Original Resolution") is hereby modified by replacing item 'A' in the second "RESOLVED" clause of the Original Resolution with the following text:

"A. The contract value shall not exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00);"

and replacing item 'F' in the second "RESOLVED" clause of the Original Resolution with the following text:

"F. No contract shall be for the purchase, sale, rental, maintenance, or repair of supplies, materials, and equipment or for the services incidental thereto, except for contracts for the rental, leasing or licensing of equipment at a rate of THREE THOUSAND DOLLARS (\$3,000.00) or more per month, provided that the total contract value does not exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00);"

; and be it further

RESOLVED, that certificates of authorization issued pursuant to the Original Resolution as amended by this resolution shall be in substantially the same form as those attached hereto; and be it further

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

RESOLVED, that the County Executive may take such action as may be necessary and appropriate to effectuate the purposes of this Resolution.

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
					N/A

Budget Funding Year(s): _____ Start Date: _____ End Date: _____
(must match resolution)

Funding Source _____ Tax Dollars: _____
_____ State Aid: _____
N/A Federal Aid: _____
(must match resolution) Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/14/2019 - LISA MRUJAJ, SECRETARY

CERTIFICATE OF AUTHORIZATION
Pursuant to Sections 161.01 and 161.11(1)(c)
of the
Laws of Westchester County

Pursuant to the provisions of Sections 161.01 and 161.11(1)(c) of the Laws of Westchester County, and the resolution of approval of the Board of Acquisition & Contract that was duly adopted on January 11, 2018, as amended by a resolution duly adopted on _____, and subject to the limitations set forth herein, I, GEORGE LATIMER, County Executive of Westchester County, do hereby authorize

_____, _____,
(Name) (Title)

to execute and deliver contracts on behalf of the County of Westchester within the limits of the appropriations allocated therefor.

This Certificate of Authorization has the following limitations:

1. No contract shall exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00).

2. No contract shall be for a period of more than one (1) year.

3. All contracts shall be approved by the Deputy County Executive through the County's Short Form Contract Workflow.

4. All contracts involving payment by the County shall relate to matters that have been the subject of an appropriation by the Board of Legislators.

5. No contract shall involve a deed, conveyance, grant or release of any County interest in all or any part(s) of County lands, property and real estate, including grants of rights

or interests in, over, under and across any County lands, property and real estate.

6. No contract shall be for the purchase, sale, rental, maintenance, or repair of supplies, materials, and equipment or for the services incidental thereto, except for contracts for the rental, leasing or licensing of equipment at a rate of THREE THOUSAND DOLLARS (\$3,000.00) or more per month, provided that the total contract value does not exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00).

7. All contracts must be for the maintenance and/or operation of the _____.
(Department, Board, Commission)

8. All contracts shall be submitted to the Office of the County Attorney and be approved by said office as to form and manner of execution.

9. The authority conferred hereunder may be exercised by a deputy, assistant or other subordinate officer only when he/she is performing the duties of the _____ during his/her absence from the office or inability to act, and pursuant to a designation or appointment made in accordance with the provisions of County Law §401(2), Public Officers Law §9, New York State Defense Emergency Act §29-a, Executive Law §27, and/or the Laws of Westchester County §§194.11 and 528.31.

10. The authority to execute contracts granted pursuant to this certificate shall commence as of _____, 201__ and expire on December 31, 2021, unless sooner revoked.

IN WITNESS WHEREOF, I have hereunto set my hand on this _____ day of _____, 201__.

GEORGE LATIMER
County Executive

CERTIFICATE OF AUTHORIZATION
Pursuant to Sections 161.01 and 161.11(1)(c)
of the
Laws of Westchester County

Pursuant to the provisions of Sections 161.01 and 161.11(1)(c) of the Laws of Westchester County, and the resolution of approval of the Board of Acquisition & Contract that was duly adopted on January 11, 2018, as amended by a resolution duly adopted on _____, and subject to the limitations set forth herein, I, GEORGE LATIMER, County Executive of Westchester County, do hereby authorize _____, Commissioner of Parks, Recreation and Conservation, to execute and deliver contracts on behalf of the County of Westchester within the limits of the appropriations allocated therefor.

This Certificate of Authorization has the following limitations:

1. With the exception of license agreements for use of the County Center that generate revenue, no contract shall exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00).
2. With the exception of license agreements for use of the County Center that generate revenue, no contract shall be for a period of more than one (1) year.
3. With the exception of license agreements for use of the County Center that generate revenue, all contracts shall be approved by the Deputy County Executive through the County's Short Form Contract Workflow.
4. All contracts involving payment by the County shall relate to matters that have been the subject of an appropriation by the Board of Legislators.
5. No contract shall involve a deed, conveyance, grant or release of any County interest in all or any part(s) of County lands, property and real estate, including grants of rights or interests in, over, under and across any County lands, property and real estate.

6. No contract shall be for the purchase, sale, rental, maintenance, or repair of supplies, materials, and equipment or for the services incidental thereto, except for contracts for the rental, leasing or licensing of equipment at a rate of THREE THOUSAND DOLLARS (\$3,000.00) or more per month, provided that the total contract value does not exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00).

7. All contracts must be for the maintenance and/or operation of the Department of Parks, Recreation and Conservation.

8. All contracts shall be submitted to the Office of the County Attorney and be approved by said office as to form and manner of execution.

9. With respect to license agreements for use of the County Center that generate revenue, all license fees collected for the use of the County Center shall conform to the rates established by the Parks, Recreation and Conservation Board.

10. A quarterly listing of all license agreements for the use of the County Center that generate revenue that are executed pursuant to this certificate shall be filed with the Board of Acquisition & Contract by the Commissioner of Parks, Recreation and Conservation.

11. The authority conferred hereunder may be exercised by a deputy, assistant or other subordinate officer only when he/she is performing the duties of the Commissioner during his/her absence from the office or inability to act, and pursuant to a designation or appointment made in accordance with the provisions of County Law §401(2), Public Officers Law §9, New York State Defense Emergency Act §29-a, Executive Law §27, and/or the Laws of Westchester County §§194.11 and 528.31.

12. The authority to execute contracts granted pursuant to this certificate shall commence as of _____, 201__ and expire on December 31, 2021, unless sooner revoked.

IN WITNESS WHEREOF, I have hereunto set my hand on this _____ day of _____, 201__.

GEORGE LATIMER
County Executive

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/14/2019 - LISA MRYAN, SECRETARY

CERTIFICATE OF AUTHORIZATION
Pursuant to Sections 161.01 and 161.11(1)(c)
of the
Laws of Westchester County

Pursuant to the provisions of Sections 161.01 and 161.11(1)(c) of the Laws of Westchester County, and the resolution of approval of the Board of Acquisition & Contract that was duly adopted on January 11, 2018, as amended by a resolution duly adopted on _____, and subject to the limitations set forth herein, I, GEORGE LATIMER, County Executive of Westchester County, do hereby authorize _____, Commissioner of Social Services, to execute and deliver contracts on behalf of the County of Westchester within the limits of the appropriations allocated therefor.

This Certificate of Authorization has the following limitations:

1. No contract shall exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00); provided, however, that such limitation shall not apply to family foster care agreements between the County and certified foster parents for the placement of foster children at rates that do not exceed the foster care board rates established by the New York State Office of Children and Family Services.
2. No contract shall be for a period of more than one (1) year.
3. All contracts shall be approved by the Deputy County Executive through the County's Short Form Contract Workflow.
4. All contracts involving payment by the County shall relate to matters that have been the subject of an appropriation by the Board of Legislators.

5. No contract shall involve a deed, conveyance, grant or release of any County interest in all or any part(s) of County lands, property and real estate, including grants of rights or interests in, over, under and across any County lands, property and real estate.

6. No contract shall be for the purchase, sale, rental, maintenance, or repair of supplies, materials, and equipment or for the services incidental thereto, except for contracts for the rental, leasing or licensing of equipment at a rate of THREE THOUSAND DOLLARS (\$3,000.00) or more per month, provided that the total contract value does not exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00).

7. All contracts must be for the maintenance and/or operation of the Department of Social Services.

8. All contracts shall be submitted to the Office of the County Attorney and be approved by said office as to form and manner of execution.

9. The authority conferred hereunder may be exercised by a deputy, assistant or other subordinate officer only when he/she is performing the duties of the Commissioner during his/her absence from the office or inability to act, and pursuant to a designation or appointment made in accordance with the provisions of County Law §401(2), Public Officers Law §9, New York State Defense Emergency Act §29-a, Executive Law §27, and/or the Laws of Westchester County §§194.11 and 528.31.

10. The authority to execute contracts granted pursuant to this certificate shall commence as of _____, 201__ and expire on December 31, 2021, unless sooner revoked.

IN WITNESS WHEREOF, I have hereunto set my hand on this ____ day of _____, 201__.

GEORGE LATIMER
County Executive

CERTIFICATE OF AUTHORIZATION
Pursuant to Sections 161.01 and 161.11(1)(c)
of the
Laws of Westchester County

Pursuant to the provisions of Sections 161.01 and 161.11(1)(c) of the Laws of Westchester County, and the resolution of approval of the Board of Acquisition & Contract that was duly adopted on January 11, 2018, as amended by a resolution duly adopted on _____, and subject to the limitations set forth herein, I, GEORGE LATIMER, County Executive of Westchester County, do hereby authorize _____, Commissioner of Finance, to execute and deliver contracts on behalf of the County of Westchester within the limits of the appropriations allocated therefor.

This Certificate of Authorization has the following limitations:

1. No contract shall exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00), provided however that such limitation shall not apply to contracts relating to the issuance and sale of bonds, notes or other indebtedness of the County, where such indebtedness shall have been authorized by the Board of Legislators and be in an amount equal to or less than the maximum amount authorized by the Board of Legislators, and the authorizations of the Board of Legislators shall have delegated to the Commissioner of Finance the power to prescribe the terms and form of the indebtedness.

2. No contract shall be for a period of more than one (1) year, provided however that such limitation shall not apply to contracts relating to the issuance and sale of bonds, notes or other indebtedness of the County, where such indebtedness shall have been authorized by the Board of Legislators and be in an amount equal to or less than the maximum amount authorized by the Board of Legislators, and the authorizations of the Board of Legislators shall have delegated to the Commissioner of Finance the power to prescribe the terms and form of the

indebtedness.

3. All contracts shall be approved by the Deputy County Executive through the County's Short Form Contract Workflow.

4. All contracts involving payment by the County shall relate to matters that have been the subject of an appropriation by the Board of Legislators.

5. No contract shall involve a deed, conveyance, grant or release of any County interest in all or any part(s) of County lands, property and real estate, including grants of rights or interests in, over, under and across any County lands, property and real estate.

6. No contract shall be for the purchase, sale, rental, maintenance, or repair of supplies, materials, and equipment or for the services incidental thereto, except for contracts for the rental, leasing or licensing of equipment at a rate of THREE THOUSAND DOLLARS (\$3,000.00) or more per month, provided that the total contract value does not exceed the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00).

7. All contracts must be for the maintenance and/or operation of the Department of Finance.

8. All contracts shall be submitted to the Office of the County Attorney and be approved by said office as to form and manner of execution.

9. The authority conferred hereunder may be exercised by a deputy, assistant or other subordinate officer only when he/she is performing the duties of the Commissioner during his/her absence from the office or inability to act, and pursuant to a designation or appointment made in accordance with the provisions of County Law §401(2), Public Officers Law §9, New York State Defense Emergency Act §29-a, Executive Law §27, and/or the Laws of Westchester County §§194.11 and 528.31.

10. The authority to execute contracts granted pursuant to this certificate shall commence as of _____, 201__ and expire on December 31, 2021, unless sooner revoked.

IN WITNESS WHEREOF, I have hereunto set my hand on this _____ day of _____, 201__.

GEORGE LATIMER
County Executive

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/14/2020 - LISA MARIJA, SECRETARY