



Westchester Community College

State University of New York

67860

February 14, 2019

To: Board of Acquisition and Contract

From: Belinda S. Miles
President

Re: Authority to enter into an affiliation agreement for the provision of supervised clinical education and instruction for students attending Westchester Community College

Westchester Community College (the "College"), through its School of Health Careers, Technologies & Applied Learning, offers a number of programs in the healthcare and health science fields. As part of these programs, the College, in conjunction with various organizations, offers supervised clinical education, internships and instruction for College students who are pursuing a degree or certificate.

Authority is hereby being sought to enter into an affiliation agreement with Game On 365 Sports, LLC (the "Affiliate") for the provision of supervised clinical education, internships and instruction in connection with the College's Exercise Science program, for a term commencing February 1, 2019, with either party having the right to terminate the agreement upon written notice.

There will be no cost to the College, but in accordance with the agreement, the College shall agree to defend, indemnify and hold harmless the Affiliate in a form similar to the following: The College shall defend, indemnify and hold the Affiliate harmless from and against any and all damages, liability, claims, costs, losses, damages or injuries to persons or property of whatever kind or nature, suits or costs, including reasonable attorney's fees, which arise out of or are directly or indirectly related to the actions or inactions of the College, its Faculty, Students, officers or employees, including, but not limited to, any actions brought against the other parties by any faculty or students of the College, and any third parties.

I believe that it is in the best interest of the College to provide clinical education and instruction programs, and I therefore, recommend that you act favorably on the annexed proposed resolution.

BSM/jpi
Attachment

RESOLUTION

Upon a communication from the President of Westchester Community College, be it hereby

RESOLVED, that the County of Westchester, acting by and through Westchester Community College, is hereby authorized to enter into an affiliation agreement with Game On 365 Sports, LLC (the "Affiliate"), pursuant to which the Affiliate shall provide, in conjunction with but at no cost to the County, a supervised laboratory/clinical education and instruction program for matriculated Westchester Community College students; and be it further

RESOLVED, that the agreement shall commence on February 1, 2019 and shall remain in full force and effect unless either party terminates upon written notice. There will be no cost to the College, but in accordance with the agreement, the College shall agree to defend, indemnify and hold harmless the Affiliate in a form similar to the following:

The College shall defend, indemnify and hold the Affiliate harmless from and against any and all damages, liability, claims, costs, losses, damages or injuries to persons or property of whatever kind or nature, suits or costs, including reasonable attorney's fees, which arise out of or are directly or indirectly related to the actions or inactions of the College, its Faculty, Students, officers or employees, including, but not limited to, any actions brought against the other parties by any faculty or students of the College, and any third parties.

; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
N/A						

Budget Funding Year(s)
(must match resolution)

Start Date: 2/1/2019

End Date: N/A

Funding Source: Tax Dollars _____

Contractor Federal I.D. No./
Social Security No.:

State Aid _____

_____ Federal Aid _____

Vendor No.:

(must match resolution)

Other _____ Encumbrance No.: _____