

69284

DATE: April 17, 2019

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Dr. DaMia Harris-Madden, Executive Director
Westchester County Youth Bureau

SUBJECT: Request for authority for the County of Westchester (“County”) acting by and through its Youth Bureau (“Youth Bureau”), to enter into an agreement with Cornell University (“Cornell”) pursuant to which Cornell will provide a two day training on the Project Adult Identity Mentor (AIM) curriculum for an amount not to exceed \$7,074 for the period April 29, 2019 through June 30, 2019.

Authority is hereby requested for the County to enter into an agreement with Cornell pursuant to which Cornell will provide two trainers to deliver a two day training on Project AIM to program staff members on two consecutive dates to be determined by the Youth Bureau Executive Director in an amount not to exceed \$7,074 for the period April 29, 2019 through June 30, 2019.

Pursuant to Act No. 2019 - 45 adopted by the Westchester County Board of Legislators on March 25, 2019, the County was authorized to enter into a grant agreement with the United States Department of Health and Human Services to participate in the Sexual Risk Avoidance Education Program grant which will be used to fund the cost of the proposed training.

The training agreement contains a provision requiring the County to indemnify Cornell as set forth below:

The County agrees to ‘indemnify and hold Cornell University harmless from all claims, losses, expenses, fees (including attorneys’ fees), and costs and judgments which have or which may be asserted against Cornell University that result from the acts, errors, or omissions of the Westchester County Youth Bureau employees, agents and subcontractors.’

This Agreement is exempt from the procedures of the Procurement Policy pursuant to Section 3(a)xviii thereof.

An appropriate Resolution is herewith attached for your Honorable Board’s consideration.

R E S O L U T I O N

Upon a communication from the Executive Director of the Westchester County Youth Bureau be it hereby

RESOLVED, that the County of Westchester (“County”), acting by and through its Youth Bureau (“Youth Bureau”) is hereby authorized to enter into an agreement with Cornell University (“Cornell”) pursuant to which Cornell will provide two trainers to deliver a two day training on Project AIM curriculum to program staff members on two consecutive dates to be determined by the Youth Bureau Executive Director in an amount not to exceed \$7,074 for the period April 29, 2019 through June 30, 2019; and be it further

RESOLVED, that the training agreement contains a provision requiring the County to indemnify Cornell as set forth below:

The County agrees to ‘indemnify and hold Cornell University harmless from all claims, losses, expenses, fees (including attorneys’ fees), and costs and judgments which have or which may be asserted against Cornell University that result from the acts, errors, or omissions of the Westchester County Youth Bureau employees, agents and subcontractors.’

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 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 that Contractor shall have the right to terminate their Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Account to be charged/credited <u>2018-19</u>	Fund	Dept. code	Unit #	Object/ Sub Object	Trust Account	Dollars
	263	11		4380	T02U	<u>\$7,074</u>
Budget Funding Year(s) (must match resolution)	<u>2019</u>	Start Date	<u>April 29, 2019</u>	End Date	<u>June 30, 2019</u>	
2019 Funding Source <u>\$ 7,074</u> (must match resolution)	Federal Grant Dollars <u>\$7,074</u>					
	Tax Dollars _____					
	Other _____					