



Memorandum

69552

DATE: May 2, 2019

TO: Board of Acquisition and Contract

FROM: John M. Cullen
Commissioner of Emergency Services

SUBJECT: Resolution Authorizing the County of Westchester to enter into an agreement with BCFS Health and Human Services, to assist with, among other things, the implementation of the long-term remedial work plan and with development of guidance documents and training programs associated with the County's emergency preparedness to ensure compliance with the Americans with Disabilities Act, 42 U.S.C. § 12131 et seq., and Section 504 of the Rehabilitation Act, for an amount not to exceed \$57,644.08, pursuant to an approved budget, for a one-year term commencing upon execution, with County having the sole option to extend the agreement for a term of up to one additional year.

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") acting by and through its Department of Emergency Services (the "Department,"), to enter into an agreement with BCFS Health and Human Services ("BCFS"), to assist the County with, among other things, the implementation of the long-term remedial work plan and with development of guidance documents and training programs associated with the County's emergency preparedness to ensure compliance with the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12131 et seq., and Section 504 of the Rehabilitation Act ("RA"), for an amount not to exceed \$57,644.08, pursuant to an approved budget, for a one-year term commencing upon execution, with County having the sole option to extend the agreement for a term of up to one additional year.

As your Honorable Board may recall, the County entered into an agreement with Disability Rights Advocates ("DRA") and Westchester Disabled on the Move, Inc., which required the County to retain the services of a subject matter expert to provide assistance and guidance to the County with developing substantive revisions to the County's emergency preparedness programs

and services in order to meet the needs of people with all types of disabilities, consistent with the role of County government in major emergency and disaster response. In accordance with the terms of that agreement, the County entered into an agreement with BCFS to provide professional services to assist the County with review and revision of the CEMP and other associated County emergency preparedness programs and services and ensure compliance with the ADA and RA.

The agreement with BCFS was satisfactorily completed in August 2018. Pursuant to the terms of the proposed Agreement, BCFS will provide professional services, to assist the County with, among other things, the implementation of the long-term remedial work plan and with development of guidance documents and training programs associated with the County's emergency preparedness to ensure compliance with the ADA and RA.

Authority to exempt this Agreement from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof, has been submitted to your Honorable Board in accordance with a separate resolution of even date herewith.

The goal and objective of the proposed Agreement is to provide professional services to assist the County with development of guidance documents and training programs associated with the County's emergency preparedness to ensure compliance with the ADA and RA.

The proposed Agreement will be tracked and monitored by the staff of the Department through meetings and conference calls and by the Department's close work with BCFS.

I respectfully recommend approval of the attached Resolution.

JMC/jrc

RESOLUTION

Upon a communication from the Commissioner of Emergency Services, be it hereby

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to enter into an agreement with BCFS Health and Human Services, (“BCFS”) pursuant to which BCFS will provide professional services, to assist the County with, among other things, the implementation of the long-term remedial work plan and with development of guidance documents and training programs associated with the County’s emergency preparedness to ensure compliance with the Americans with Disabilities Act, 42 U.S.C. § 12131 et seq., and Section 504 of the Rehabilitation Act, for an amount not to exceed \$57,644.08, pursuant to an approved budget; and be it further

RESOLVED, that the Agreement shall be for a one-year term commencing upon execution, with County having the sole option to extend the agreement for a term of up to one additional year, subject to the further approval of the Board of Acquisition & Contract; and be it further

RESOLVED, that this Agreement is subject to County appropriation; and be it further

RESOLVED, that this Agreement is subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of the Agreements. 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 the Agreements 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 execute all documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	20	1000	4380		\$57,644.08

Budget Funding Year(s): 2019 Start Date: Upon execution End Date: One-year term commencing upon execution.

(must match resolution)

Funding Source
\$57,644.08

Tax Dollars: \$57,644.08
State Aid: _____
Federal Aid: _____

(must match resolution)

Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/06/2019 - LISA MRIJAJ, SECRETARY