

70523

Date: July 1, 2019

To: Board of Acquisition and Contract

From: Dr. A Milovanovic, M.D.
Pathologist / Deputy Medical Examiner

Re: Authority to amend an Agreement with the State of New York, acting by and through the New York State Department of Health, to accept a grant in an amount not-to-exceed \$191,625 for the Department of Laboratories and Research to participate in a Free Water Testing Pilot Program for the period from 06/01/17-03/31/19, by extending the term thereof for two additional years through 3/31/21.

By resolution approved on June 1, 2017, your Honorable Board authorized the County of Westchester, acting by and through the Department of Laboratories & Research (the "Department"), to enter into an agreement with the State of New York, acting by and through the New York State Department of Health ("NYSDOH"), to accept a grant in an amount not-to-exceed \$191,660 (the "Grant") for the Department to participate in a Free Water Testing Pilot Program (the "Program") for the period from 06/01/17 through 03/31/18 (the "Agreement"). Pursuant to the terms of the Agreement, NYSDOH agreed to reimburse the Department \$15 to ship each pair of 250 ml sample containers, sampling instructions and return shipping labels; and \$55 for return shipping costs, analysis and results for a set of samples, up to an amount not-to-exceed \$191,660. The Agreement was subsequently executed

By resolution approved on May 31, 2018, your Honorable Board authorized an amendment to the Agreement ("First Amendment") for the limited purpose of extending the term thereof for an additional year, from April 1, 2018 through March 31, 2019. The First Amendment was subsequently executed.

Due to the continued success of the Program and the fact that there remains sufficient funding under the Grant, the parties now desire to further amend the Agreement for the limited purpose of further extending the term thereof for two additional years, from April 1, 2019 through March 31, 2021. Accordingly, authority is requested for the County to enter into another amendment to the Agreement ("Second Amendment") with NYSDOH to accept a grant for the

Department to participate in the Program, by extending the term of the Agreement, as amended, for the period from 06/07/17 through 03/31/19, for two (2) additional years, from April 1, 2019 through March 31, 2021. Pursuant to the terms of the Second Amendment, NYSDOH agreed to reimburse the Department \$15 to ship each pair of 250 ml sample containers, sampling instructions and return shipping labels; and \$60 for return shipping costs, analysis and results for a set of samples, up to an amount not-to-exceed \$191,625.

Except as specifically amended hereby, all remaining terms and conditions of the Agreement, as previously amended, shall remain in full force and effect upon the parties.

The Agreement will serve a public purpose by ensuring that drinking water in the County is free from lead and safe to drink.

The goals and objectives of this Program are to test the drinking water in individual homes to determine whether there are high levels of lead in the water.

The goals and objectives are in the best interests of the County in terms of public health and safety because determining whether a particular household's drinking water contains high lead levels will enable the County to take remedial action.

The goals and objectives will be tracked and monitored by the Department.

As this grant agreement does not constitute a procurement of goods or services, the provisions of the Westchester County Procurement Policy are not applicable.

I certify that my department, a) has copies of, or access to all applicable laws, rules, regulations, grant applications, and grant agreements (including any master agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

An appropriate resolution is herewith attached for your Honorable Board's consideration.

KA/PS/CMC

Attachment

RESOLUTION

Upon a communication from the Pathologist/Medical Examiner, be it hereby:

RESOLVED, that the County of Westchester, acting by and through the Department of Laboratories & Research (the "Department"), is authorized to amend an agreement with the State of New York, acting by and through the New York State Department of Health (the "Agreement"), as amended, to accept a grant in an amount not-to-exceed \$191,625 for the Department to participate in a Free Water Testing Pilot Program for the period 06/01/17-03/31/19, by extending the term thereof for two additional years, from 4/01/19 – 3/31/21; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect upon the parties.

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

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) Current Start Date 06/01/2017 End Date 03/31/21

(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$ _____ Federal Aid _____

(must match resolution) Other _____