



ID #72095

Date: October 8, 2019

To: Board of Acquisition and Contract

From: Hon. Benjamin Boykin, Chairman,
Westchester County Board of Legislators

Re: Authority for the County to exercise its second option under an agreement with PKF O'Connor Davies, LLP, pursuant to which it was to provide the Board of Legislators with an analytical review of, and preliminary findings and recommendations on, and then a final report with findings and recommendations on, the proposed County budget.

By a resolution approved on November 16, 2017, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Board of Legislators (the "Board"), to enter into an agreement with PKF O'Connor Davies, LLP ("O'Connor Davies"), pursuant to which O'Connor Davies was to provide the Board with an analytical review of, and preliminary findings and recommendations on, and then a final report with findings and recommendations on, the proposed County budget, for a term from November 9, 2017 through November 8, 2018 (the "Initial Term"), for a flat fee of \$148,000.00 for the Initial Term, with the County having the sole option to extend the term of the Agreement for up to two (2) additional one (1) year periods (each an "Option Term"), for a flat fee of \$150,000.00 for the first Option Term and a flat fee of \$152,000.00 for the second Option Term (the "Original Agreement"). The Original Agreement was subsequently executed.

By a resolution approved on November 21, 2018, your Honorable Board authorized the County to exercise its first option under the Original Agreement, and therefore amend the Original Agreement in order to, 1.) extend its term by one (1) year, to a new termination date of November 8, 2019, 2.) increase its not-to-exceed amount by \$150,000.00, to a new amount not-to-exceed \$298,000.00, to pay for services during the first Option Term, and 3.) reflect the fact that the County will have one (1) option remaining under the Agreement (the "First Amendment"). The First Amendment was subsequently executed.

The Board continues to require the services that have been provided by O'Connor Davies under the Original Agreement, as amended by the First Amendment ("the Agreement"). Therefore, the County respectfully requests authority from your

Honorable Board for the County to exercise its second option under the Agreement and, accordingly, amend the Agreement in order to, 1.) extend its term by one (1) year, to a new termination date of November 8, 2020, 2.) increase its not-to-exceed amount by \$152,000.00, to a new amount not-to-exceed \$450,000.00, to pay for services during the second Option Term, and 3.) reflect the fact that the County will not have any options remaining under the Agreement (the "Second Amendment").

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

The proposed Second Amendment will serve a public purpose by enabling the Board to continue receiving assistance in reviewing and analyzing the proposed County budget.

The goal and objective of the proposed Second Amendment is to enable the Board to continue receiving assistance in reviewing and analyzing the proposed County budget.

The goal and objective of the proposed Second Amendment is in the best interests of the County in terms of fiscal responsibility, as it will enable the Board to continue receiving assistance in reviewing and analyzing the proposed County budget and thereby enable the Board to make prudent and informed decisions regarding the County budget.

The goal and objective of the proposed Second Amendment will be tracked and monitored by the staff of the Board.

I respectfully recommend the adoption of the attached resolution.

BB/GC/bdm/nn

RESOLUTION

Upon a communication from the Chairman of the Westchester County Board of Legislators, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its Board of Legislators (the "Board"), is hereby authorized to exercise its second option under an agreement (the "Agreement") with PKF O'Connor Davies, LLP ("O'Connor Davies"), pursuant to which O'Connor Davies was to provide the Board with an analytical review of, and preliminary findings and recommendations on, and then a final report with findings and recommendations on, the proposed County budget, for a term from November 9, 2017 through November 8, 2019, for a flat fee of \$148,000.00 for the first year of said term and a flat fee of \$150,000 for the second year of said term, with the County having the sole option to extend the term of the Agreement for one (1) additional one (1) year period (the "Second Option Term"), for a flat fee of \$152,000.00 for said Second Option Term, and therefore amend the Agreement in order to, 1.) extend its term by one (1) year, to a new termination date of November 8, 2020, 2.) increase its not-to-exceed amount by \$152,000.00, to a new amount not-to-exceed \$450,000.00, to pay for services during the during the Second Option Term, and 3.) reflect the fact that the County will not have any options remaining under the Agreement; and be it further

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

RESOLVED, that the Chairman of the Westchester County Board of Legislators, or his authorized designee, is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2019	101	10	1000	4380		\$152,000.00

Budget Funding Year(s): 2019 Start Date: 11/9/19 End Date: 11/8/20
(must match resolution)

Funding Source Tax Dollars: \$152,000.00
State Aid: _____
\$152,000.00 Federal Aid: _____
(must match resolution) Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION - LISA MRIJAJ, SECRETARY