

72561

DATE: November 12, 2019

TO: Board of Acquisition and Contract

FROM: Kenneth W. Jenkins
Deputy County Executive

RE: **Authority to amend an agreement with Vincent Ferrandino & Associates, Inc. for consulting services related to the County's capital program for the term August 1, 2018 through December 31, 2019 in an amount not to exceed \$125,000, in order to increase the amount of the Agreement by \$30,000 to a new total not to exceed amount of \$155,000.**

By resolutions adopted on August 16, 2018 and on May 23, 2019, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Vincent Ferrandino & Associates, Inc. for consulting services related to the County's capital program for a term commencing on August 1, 2018 and continuing through July 31, 2019 in an amount not to exceed \$50,000.00 which was amended by a First Amendment Agreement which extended the agreement for the term August 1, 2019 through December 31, 2019, increased the amount of the agreement by \$75,000.00 to a new total not to exceed amount of \$125,000.00 and increased the hourly rates (hereinafter collectively the "Agreement"). The Agreement and the First Amendment Agreement were both executed. Authority is now requested to amend the Agreement in order to increase the amount of the Agreement by \$30,000.00 to a new total amount not to exceed \$155,000.00.

Pursuant to the terms of the proposed amendment, Vincent Ferrandino & Associates, Inc. will continue to perform various services related to the County's capital program, including but not limited to: provide advice and guidance relating North 60 planning and environmental report; Opportunity zones to provide support and technical assistance to municipalities with the Planning Department; develop and coordinate scope of work for economic Development plan; participate in selection of proposers; prepare written reports, as required; and provide Project Performance Measures report with each requisite submission.

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

All other terms and conditions of the Agreement shall remain in full force and effect.

This proposed amendment will serve a public purpose by using the skills and knowledge of Vincent Ferrandino & Associates, Inc. to provide guidance with regard to the County's capital program.

Authority for the County to enter into the proposed amendment for the purposes as herein described is most respectfully requested.

KWJ/di
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/14/2019 - LISI MARIJAS SECRETARY

RESOLUTION

Upon a communication from the Deputy County Executive, be it hereby

RESOLVED, that the County of Westchester (“County”) is authorized to amend an agreement dated August 1, 2018 as amended by a First Amendment Agreement dated May 2, 2019 with Vincent Ferrandino & Associates, Inc. for consulting services related to the County’s capital program for the term commencing on August 1, 2018 and through December 31, 2019 in the amount not to exceed One Hundred Twenty Five Thousand (\$125,000) Dollars (collectively the “Agreement”), in order to increase the amount of the Agreement by Thirty Thousand (\$30,000) Dollars for a total amount not to exceed One Hundred Fifty Five Thousand (\$155,000) Dollars; and be it further

RESOLVED, that all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that this Agreement shall be subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York 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 the Contractor 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 authorized to execute said agreement and all documents necessary to effectuate the purposes hereof.

Agreement: \$50,000
 First Amendment: 75,000
 This Amendment: 30,000
 TOTAL: \$155,000

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	46	2000	4420		\$30,000

Budget Funding Year 2019 Start Date: November 1, 2019 End Date: December 31, 2019
(must match resolution)

Funding Source Tax Dollars \$30,000
State Aid _____
\$30,000 Federal Aid _____
(must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/14/2019 - LISA MRIJAJ, SECRETARY