

74356

DATE: January 31, 2020

TO: Board of Acquisition and Contract

FROM: John M. Cullen
Commissioner

RE: Resolution authorizing the County of Westchester to enter into license agreement with local municipalities, Fire Districts, and hospitals in and around the County whereby the County will furnish at no charge emergency communications equipment, including control stations, mobiles and portable radios, to public safety first responders for use on primary first line emergency response equipment, authorized law enforcement dispatch locations and hospital facilities.

Authority is requested for the County of Westchester (the "County") to enter into a license agreement with local municipalities, Fire Districts and hospitals ("agencies") in and around the County for the distribution, at no charge, of emergency communications equipment, including control stations, mobiles and portable hardware, installation and supplies for use on primary first line emergency response equipment, authorized law enforcement dispatch locations and hospital facilities.

This equipment is being provided for the purpose of maintaining communications between the County and local fire, police, EMS, hospitals and other agencies in the emergency services community for fire, emergency medical and law enforcement matters. The license agreement shall commence upon execution and continue to the end of the useful life of the Equipment and through proper disposal of the Equipment, unless it is terminated in accordance with the terms of the license agreement.

The agencies will be responsible for the repair and maintenance of the equipment after the expiration of the manufacturer's warranty. Any agency desiring to purchase additional equipment or system accessories shall be responsible for purchasing, repairing and maintaining such equipment. Programming of additional new radios shall be done exclusively by the County at the expense of the agency. The agencies shall comply with the County's mandatory user

guidelines and operating procedures for all equipment. They shall provide defense and indemnification to the County.

Pursuant to the proposed license agreement, the County shall have right to designate equipment for the local municipality's ambulance/EMS service provider or volunteer fire corp ("Authorized Third Party User"), and the local municipality shall enter into a written ambulance EMS service contract or volunteer fire corp service contract with the Authorized Third Party User that will make all of the terms, conditions, limitations and requirements of the license agreement binding upon the Authorized Third Party User.

These agreements are exempt from the operation of the Westchester County Procurement Policy pursuant to Section 3(b) of such Policy.

Approval of the attached resolution by your Honorable Board is respectfully requested.

JMC/ran

APPROVED BOARD OF ACQUISITION & CONTRACTS - 02/21/2020 - LISA MERRILL, SECRETARY

(must match resolution)

Other \$ _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/27/2020 - LISA MRIJAJ, SECRETARY