

March 4, 2010

TO: Honorable Members
Board of Acquisition & Contract

FROM: George N. Longworth
Commissioner – Sheriff

RE: Resolution authorizing the County Of Westchester, acting by and through its Department of Public Safety Services, to enter into an Agreement with the New York State Division Of Criminal Justice Services, commencing upon execution and continuing until canceled, at no cost to the County, in order to provide the County with access to criminal history and wanted and/or missing persons data in connection with certain licenses issued by the Westchester County Taxi and Limousine Commission.

Authority is hereby requested for the County of Westchester, acting by and through its Department of Public Safety Services ("DPS"), to enter into an agreement with the New York State Division of Criminal Justice Services ("DCJS"), whereby the DCJS will provide the DPS with access to criminal history and wanted and/or missing persons data as may be maintained by the DCJS and, as may be further available through the National Crime Information Center and other state repository files through the Interstate Identification Index. The County has had an agreement with the DCJS for these services since August 1, 1999, with the most recent agreement having expired. The proposed agreement would be a continuation of these very important services commencing upon execution and continuing until canceled. Either party may terminate the agreement on thirty (30) days written notice to the other.

The processing fee required by the DCJS will be paid for by applicants seeking a license from the Westchester County Taxi and Limousine Commission. As such there is no cost to the County for these inquiries.

The goals and objectives of this program are to allow the Westchester County Taxi & Limousine Commission (a division of the Department of Public Safety) access to the New York State shared database utilized by police agencies to investigate crimes and other violations in accordance with state statute and TLC regulatory standards as defined in Chapter 270 of the Laws of Westchester County.

The goals and objectives of this program will support the public health, safety and/or welfare by insuring that investigating personnel are provided with reliable information in a timely manner in order to determine fitness of individuals seeking a license from the Taxi &

Limousine Commission and entrusted with transporting the riding public. The goals and objectives of this program will be tracked and monitored by the Department of Public Safety's TLC enforcement officers and designated TLC staff members.

If this resolution were not approved, there would be ramifications and consequences to the safety and security of Westchester County residents as well as the riding public. The riding public could be subject to individuals working within the for-hire industry of Westchester County who have been convicted of a crime, driving while impaired or under the influence, excessive Vehicle and Traffic Law (VTL) violations, or individuals who may have outstanding warrants against them.

The proposed agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)(iii) which exempts transactions or contracts with an agency or instrumentality of the United States of America such as the DCJS. A Resolution for your consideration is annexed hereto. I recommend your favorable consideration of the annexed proposed Resolution.

GNL/BZM/cs
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 3-18-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner - Sheriff of Public Safety, be it hereby

RESOLVED, that authority is hereby granted to the County of Westchester, acting by and through the Department of Public Safety Service ("DPS") to enter into an agreement with New York State Division of Criminal Justice Services (DCJS), whereby the DCJS will provide the DPS with access to criminal history and wanted and/or missing persons data as may be maintained by the DCJS and, as may be further available through the National Crime Information Center and other state repository files through the Interstate Identification Index; and be it further

RESOLVED, that the agreement shall commence upon execution and continue until canceled. Both parties shall have the right to terminate the agreement on thirty (30) days written notice to the other; and be it further

RESOLVED, that the processing fee required by the DCJS will be paid for by applicants seeking a license from the Westchester County Taxi and Limousine Commission, as such there is no cost to the County for these inquiries; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized and empowered to execute such instruments and take such action as may be necessary to effectuate the purposes hereof.

Account to be Charged	Fund	Dept.	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
N/A						N/A

Budget Funding Year(s) 2010-open Start Date upon execution End Date open

Funding Source Tax Dollars: _____

State Aid: _____

(\$ N/A) Federal Aid _____

Must match resolution Other: _____

APPROVED BOARD OF ACQUISITION CONTRACT 23-10-2010 - JIMMY VEIRA SECRETARY