

**81932**

DATE: January 5, 2021

TO: Board of Acquisition and Contract

FROM: Richard Wishnie  
Acting Commissioner

RE: Resolution authorizing the County of Westchester to enter into a license agreement with the Hudson Valley Hospital and the New York and Presbyterian Hospital to grant permission to connect their subscriber equipment to the County radio communication system and utilize the County radio communication system for communicating with and providing medical control to emergency medical service agencies and providers, and communicating with other hospitals, the County, and any other emergency service agencies.

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Authority is requested for the County of Westchester (the "County") to enter into a license agreement with the Hudson Valley Hospital and the New York and Presbyterian Hospital (the "Hospitals") to grant permission to connect their subscriber equipment to the County radio communications system and utilize the County radio communications system for communicating with and providing medical control to emergency medical service agencies and providers, and communicating with other hospitals, the County, and any other emergency service agencies (the "Agreement").

Pursuant to a resolution approved on February 27, 2020, your Honorable Board authorized the County to enter into a license agreement with local municipalities, fire districts and hospitals in and around the County for the distribution, at no charge, of emergency communications equipment for use on primary first line emergency response equipment, authorized law enforcement dispatch locations and hospital facilities.

The Hospitals have purchased the subscriber equipment directly and wish to enter into the proposed Agreement with the County to connect their subscriber equipment to the County radio communications system and utilize the County radio communications system for communicating with and providing medical control to emergency medical service agencies and

providers, and communicating with other hospitals, the County, or any other emergency service agencies.

Only subscriber equipment approved by the County may be connected to the County Radio System. The Hospitals shall be responsible for programming the subscriber equipment using a vendor who is authorized in writing by the County to program the subscriber equipment on to the County radio communications system ("Authorized Vendor"). The programming shall be at the expense of the Hospitals. The County will provide the Hospitals with a list of Authorized Vendors.

The proposed Agreement would commence upon execution and continue in full force and effect unless sooner terminated as provided in the Agreement, which includes, but is not limited to, the right by either party to terminate upon five (5) days notice when they deem it to be in their best interest.

The Hospitals shall be responsible for the purchase, operation, maintenance, repair, programming, reprogramming, modification, connection, use and disconnection of the subscriber equipment. The Hospitals shall comply with the County's mandatory user guidelines and operating procedures for all subscriber equipment. The Hospitals shall provide defense and indemnification to the County.

The Hospitals will acknowledge and agree that the County is going to obtain and hold the FCC license for the subscriber equipment to operate on the County radio communications system. The Hospitals will take no action(s) with regard to the subscriber equipment that causes the County to be in violation of its FCC license.

The Agreement is 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.

RW/RAN  
Enc.

**RESOLUTION**

Upon a communication from the Acting Commissioner of Emergency Services, be it hereby

**RESOLVED**, that the County of Westchester (the “County”) is authorized to enter into a license agreement with the Hudson Valley Hospital and the New York and Presbyterian Hospital (the “Hospitals”) to grant permission to connect their subscriber equipment to the County radio communications system and utilize the County radio communications system for communicating with and providing medical control to emergency medical service agencies and providers, and communicating with other hospitals, the County, and any other emergency service agencies (the “Agreement”), and be it further

**RESOLVED**, that pursuant to the Agreement, the Hospitals will be responsible for the purchase, operation, maintenance, repair, programing, reprograming, modification, connection, use and disconnection of the subscriber equipment, the Hospitals shall comply with the County’s mandatory user guidelines and operating procedures for all subscriber equipment, and the Hospitals shall provide defense and indemnification to the County, and be it further

**RESOLVED**, that the Hospitals will acknowledge and agree that the County is going to obtain and hold the FCC license for the subscriber equipment to operate on the County radio communications system, and the Hospitals will take no action(s) with regard to the subscriber equipment that causes the County to be in violation of its FCC license, and be it further

**RESOLVED**, that the term the Agreement will commence upon execution and continue unless sooner terminated in accordance with the terms of the Agreement, which will include, but is not limited to, the right by either party to terminate upon five (5) days notice when it deems it to be in its best interest; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions necessary to implement this Resolution.

| Account to be Charged/ credited | Year | Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars |
|---------------------------------|------|------|------|--|--------------------|---------------|---------|
|                                 |      |      |      |  |                    |               | N/A     |
|                                 |      |      |      |  |                    |               |         |
|                                 |      |      |      |  |                    |               |         |
|                                 |      |      |      |  |                    |               |         |

Budget Funding Year(s) (must match resolution)                      Start Date                      End Date

Funding Source    Tax Dollars \$    \_\_\_\_\_ N/A \_\_\_\_\_

State Aid \$     N/A      
Federal Aid \$     N/A      
(must match resolution) Other \$     N/A    

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/21/2021 - JOAN COCCIARDI, SECRETARY