



Department of Emergency Services

Memorandum

DATE: March 24, 2010

TO: Board of Acquisition and Contract

FROM: Anthony W. Sutton, Commissioner of Emergency Services

RE: **Request Authority to amend the December 27, 2007 resolution authorizing the County of Westchester to enter into an agreement with BNET, Inc. to administer its Corporate Emergency Access System program in the County of Westchester in order to revise the term of the agreement and to correct the name of the corporation**

On December 27, 2007 your Honorable Board approved a resolution (“Resolution”) authorizing the County of Westchester to enter into an agreement with BNET, Inc. to administer its Corporate Emergency Access System program (“CEAS”) in the County of Westchester for the period January, 1, 2008 through December 31, 2010. That agreement was not executed due to programmatic and implementation concerns that have since been addressed. As this program provides tremendous value to the County and its local businesses, authority is requested to amend the Resolution to change the term of the agreement from January, 1, 2008 through December 31, 2010, to a term commencing April 15, 2010 through April 14, 2015. CEAS is a unique program that will enable (with the County’s guidance and approval) selected private sector entities to pre-designate and credential certain “essential employees” who are critical to continuity of operations plans of the entity to afford those employees access to facilities in areas that are restricted to public access during emergencies. The CEAS program is designed to help local businesses and industry to, among other things, mitigate damage and loss resulting from a disaster or emergency, recover valuable assets and records and to stabilize and sustain IT, HVAC and security equipment critical to the continued operation of their facilities.

Additionally, after the Resolution was approved, the corporation notified the County that its correct corporate name is Business Network of Emergency Resources, Inc., (“BNET”). Therefore, in addition to revising the term of the agreement, authority is also sought to amend the Resolution to correct the corporation’s name. All other terms and condition of the Resolution shall remain in full force and effect and unchanged.

As your Honorable Board is aware, pursuant to the New York State Executive Law, the Westchester County Executive or his designee may proclaim a local state of emergency.

Pursuant to this power, the County Executive may promulgate emergency orders that regulate the occupancy or use of buildings within specified zones and the access to such zones. BNET desires to provide a system whereby, upon order of the County Executive, the employees of private businesses with offices located within a specified emergency zone and employees of related critical support organizations may have access to that zone. The CEAS program was developed by BNET to address these situations. The County and BNET desire to set forth their understanding of the terms and conditions governing the CEAS and under which the County Executive may, at his sole discretion, order its use.

The proposed Agreement between the County and BNET will enhance public safety and general welfare in times of an emergency and will therefore benefit the public good. The Department of Emergency Services shall track and monitor the goals and objectives of the agreement to evaluate the success of the CEAS program's impact on public safety and public health.

Authority is respectfully requested to amend the Resolution to change the term of the agreement from January, 1, 2008 through December 31, 2010, to a term commencing April 15, 2010 through April 14, 2015 and additionally to correct the corporation's name. Accordingly, I recommend adoption of the annexed proposed Resolution.

AWS/TSA

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-8-2010. JOMAR VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the resolution approved December 27, 2007 (“Resolution”) which authorized the County of Westchester to enter into an agreement with BNET, Inc., to administer its Corporate Emergency Access System program in the County of Westchester is hereby amended to change the term of the agreement from January, 1, 2008 through December 31, 2010, to a term commencing April 15, 2010 through April 14, 2015; and be it further

RESOLVED, that the Resolution is hereby amended to correct the name of the corporation from BNET, Inc. to Business Network of Emergency Resources, Inc.; and be it further

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

RESOLVED, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be
Charged/credited

Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
						N/A

Budget Funding Year(s) 2010-2015 Start Date 4/15/10 End Date 4/14/15
(must match resolution)

Funding Source Tax Dollars \$ _____

State Aid _____

\$N/A _____ Federal Aid _____

(must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-8-2010 JOMARY WEIRA, SECRETARY