

DATE: April 16, 2010

TO: The Honorable Board of Acquisition and Contract

FROM: Kevin J. Plunkett
Deputy County Executive

RE: **Authority for the County of Westchester to enter into an agreement with the Westchester Library System, for the period commencing January 1, 2010 through December 31, 2010, in an amount not to exceed \$996,525, pursuant to which the Library will provide a cataloging and inter-library loan program, an outreach to teens program, and a system-wide delivery service for Westchester residents.**

Authority is hereby requested for the County of Westchester (the "County") to enter into an agreement with the Westchester Library System (the "Library"), pursuant to which the Library will provide various services to Westchester residents, including, but not limited to, a cataloging and inter-library loan program, an outreach to teens program, and a system-wide delivery service for the period commencing on January 1, 2010 and continuing through December 31, 2010 (the "Agreement"). In consideration for services to be rendered, the County shall pay the Library an amount not-to-exceed \$996,525, payable quarterly pursuant to an approved budget, as follows: For the first quarter the Library shall be paid an amount not-to-exceed \$276,813. For the second, third and fourth quarters the Library shall be an amount not-to-exceed \$239,904 per quarter.

The services provided pursuant to this agreement will serve a public purpose by providing Westchester residents free access to books, CDs, DVDs and magazines, as well as special exhibits on topics of educational or cultural interest.

The goals and objectives of this program are:

- to continue to develop and maintain an online catalog available to all Westchester residents so that they can search the catalog from the convenience of their own homes and place holds on any circulating item in any of the County's 38 libraries that participate in the intralibrary loan system
- operate a delivery service to route those holds to the various libraries
- provide outreach programming for Westchester's youth-at-risk, geared to increasing the number of County youth who utilize the services provided by libraries throughout the County

The goals and objectives will be tracked and monitored using the performance measures developed by the County and approved by the Budget Office, which include quarterly statistical reports provided by the Library and annual meetings between the County and the Library to evaluate the scope of the services being provided.

If this resolution were not approved, the Library would lose a significant amount of its funding base and be unable to provide the various services enjoyed by county residents.

This Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)xiii thereof as it is a contract with a not for profit organization for the support, enhancement, or preservation of cultural resources and the arts.

Accordingly, authority to enter into an agreement with the Westchester Library System for the purposes as herein described is requested.

RPA/DF/jg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-29-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement with the Westchester Library System (the "Library"), pursuant to which the Library will provide various services to Westchester residents, including, but not limited to, a cataloging and inter-library loan program, an outreach to teens program, and a system-wide delivery service, for the period commencing on January 1, 2010 and continuing through December 31, 2010 (the "Agreement"); and be it further

RESOLVED, that in consideration for services to be rendered, the County shall pay the Library a total amount not-to-exceed \$996,525, payable quarterly pursuant to an approved budget, as follows: For the first quarter the Library shall be paid an amount not-to-exceed \$276,813. For the second, third and fourth quarters the Library shall be an amount not-to-exceed \$239,904 per quarter; and be it further

RESOLVED, that this Agreement is 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 Library, then the Library 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 thereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	52	2180	5100		\$996,525

Budget Funding Year(s) 2010 Start Date 01/01/2010 End Date 12/31/2010

Funding Source Tax Dollars \$996,525
 State Aid _____
\$ 996,525 Federal Aid _____
 (must match resolution) Other _____