



Catherine Borgia  
Chairwoman,  
Westchester County  
Board of Legislators

## OnBase ID #93389

DATE: April 29, 2022

TO: The Honorable Board of Acquisition and Contract

FROM: Honorable Catherine Borgia  
Chairwoman, Westchester County Board of Legislators

SUBJECT: Authority to enter into an agreement with the Boys' and Girls' Club of Northern Westchester, Inc. to provide life-saving learn-to-swim programs for children for the term January 1, 2022 through December 31, 2022, in an amount not to exceed \$50,000.00.

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The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester ("County") to enter into an agreement with the Boys' and Girls' Club of Northern Westchester, Inc. ("Boys' and Girls' Club") to provide life-saving learn to swim programs for children for the term January 1, 2022 through December 31, 2022 (the "Agreement"). The proposed Agreement, in the not to exceed amount of \$50,000.00, will be paid one-half upon execution and one-half on or about September 1, 2022.

The Boys' and Girls' Club learn-to swim program provides life-saving instruction to Westchester children who might not otherwise have the opportunity to obtain swimming instruction. Water safety education for young children will assist in reducing the statistic that more children under the age of six in the United States die from drowning than any other cause besides birth defects. For children in the United States between the age of one and fourteen, drowning is the second leading cause of unintentional injury death after motor vehicle accidents. The swimming instruction proposed to be provided by the Boys' and Girls' Club pursuant to this Agreement will increase the safety of these children around water, will make them more secure in participating in activities near bodies of water and may make them less self-conscious.

The proposed Agreement will provide services to children who reside in Westchester County and will benefit to the whole community. The proposed Agreement

will serve the public purpose of promoting the public health, safety, and general welfare of County residents by providing swimming lessons to children who might not otherwise learn to swim. The Agreement and its progress will be monitored by County personnel.

By resolution adopted of even date herewith, your Honorable Board has exempted the procurement of these services from the Boys' and Girls' Club from the requirements of the Westchester County Procurement Policy, as in the best interests of the County. It is respectfully requested and recommended that your Honorable Board approve the annexed Resolution.

CB/di  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/26/2022 - RAYMOND SCULKY, SECRETARY

**RESOLUTION**

Upon a communication from the Chairwoman of the Westchester County Board of Legislators, it is hereby:

**RESOLVED**, that the County of Westchester (the "County") is authorized to enter into an agreement with the Boys' and Girls' Club of Northern Westchester, Inc. to provide life-saving learn-to-swim programs for children for the term January 1, 2022 through December 31, 2022, in an amount not to exceed \$50,000.00 (the "Agreement"), one-half payable upon execution the other half payable on or about September 1, 2022, and pursuant to an approved budget; and be it further

**RESOLVED**, that the Agreement is subject to County appropriations; and be it further

**RESOLVED**, that the 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 the 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 adoptions(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 the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the Chairwoman of the Westchester County Board of Legislators, or her duly authorized designee, is hereby authorized to execute any documents and take such actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be Charged/Credited:

Fund	Dept	Major Program, Program & Phase Or Unit	Sub-unit	Object/ Sub-Object	Dollars
101	52	2508	0010	5100	\$50,000.00

Budget Funding Year(s)      Start Date   1/1/22        End Date   12/31/22    
(must match resolution)

Funding Source      Tax Dollars   \$50,000.00  

State Aid \_\_\_\_\_

  \$50,000.00        Federal Aid \_\_\_\_\_

(must match resolution)      Other \_\_\_\_\_