



ONBASE: 93861

June 8, 2022

To: Board of Acquisition and Contract

From: Dr. Belinda S. Miles  
President

Re: Resolution to amend Resolution # 88405 approved on November 4, 2021, which authorized the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation, d/b/a Westchester Medical Center, for the provision of COVID-19 nasopharyngeal testing services to WCC's staff, faculty and students for potential risk exposure to the Coronavirus Disease, for a term commencing on October 7, 2021 and continuing through October 6, 2022, for a total not to exceed amount of \$1,000,000.00, in order to authorize COVID-19 saliva testing and other related testing services, extend the term through May 12, 2023 and authorize Quadrant Bioscience as an approved subcontractor.

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By resolution approved on November 4, 2021, ("2021 Resolution"), your Honorable Board authorized the County of Westchester ("County"), acting by and through the Westchester Community College ("WCC"), to enter into an agreement (the "Agreement") with the Westchester County Health Care Corporation, d/b/a Westchester Medical Center (the "Corporation" or "WCHCC"), for the provision of COVID-19 nasopharyngeal testing services to WCC's staff, faculty and students for potential risk exposure to the Coronavirus Disease (COVID-19), for a term from October 7, 2021 through October 6, 2022. In consideration for such services to be rendered, the County agreed to pay the Corporation a total not to exceed amount of One Million (\$1,000,000.00) Dollars. Furthermore, under the approved Agreement, each party agreed to defend, indemnify and hold harmless the other party, their respective officers, employees and agents from and against any and all liability damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly out of the acts or omissions hereunder by the other party or third parties under the direction or control of the other party. The Agreement has not yet been executed.

Due to newly developed COVID-19 testing technology, WCC desires that WCHCC provide saliva and other related COVID-19 testing services in addition to the nasopharyngeal testing services. Furthermore, WCC desires to extend the term of the Agreement for an additional period of time, through May 12, 2023 without additional cost, and authorize Quadrant Biosciences as an approved subcontractor of WCHCC for the provision of Clarifi Covid-19 Saliva tests.

Accordingly, WCC now seeks authority from your Honorable Board to amend the 2021 Resolution in order 1) provide saliva and other related COVID-19 testing services in addition to the nasopharyngeal testing services; 2) extend the term of the Agreement through May 12, 2023 and 3) authorize Quadrant Biosciences as an approved subcontractor of WCHCC for the provision of Clarifi COVID-19 Saliva tests.

The goals and objectives of this Agreement are to protect the health and welfare of WCC's staff, faculty and students that have potential exposure to the COVID-19.

The tracking and monitoring of this Agreement will be performed by WCC. The Corporation shall use commercially reasonable efforts to promptly report all test results.

Section 3307(4) of the New York Public Authorities Law requires the approval of both the County Board of Legislators and the County Board of Acquisition and Contract for agreements between the County of Westchester ("County") and the Corporation. Accordingly, the Westchester County Board of Legislators, adopted Act No. 168-2021 on September 20, 2021 which authorized the County to enter into the original Agreement for the provision of COVID-10 nasopharyngeal, and Act No. 2022-38 on April 25, 2022 which additionally authorized saliva and other related COVID-19 testing services.

The procurement of this Agreement is exempt from the requirements of the County Procurement Policy pursuant to Section 3(a)(viii) thereof.

A Resolution authorizing the County to enter into this Agreement is attached hereto for your consideration. I recommend your favorable consideration of the annexed proposed Resolution.

BSM/cmc  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT 07/07/2022 RAYMOND SCUK SECRETARY

## RESOLUTION

Upon a communication from the President of Westchester Community College, be it hereby

RESOLVED, that the resolution approved on November 4, 2021 (“2021 Resolution”), which authorized the Westchester (the “County”), acting by and through the Westchester Community College (“WCC”), to enter into an agreement (the “Agreement”) with the Westchester County Health Care Corporation (the “Corporation” or “WCHCC”), for the provision of Covid-19 nasopharyngeal testing services to WCC’s staff, faculty and students for potential risk exposure to the Coronavirus Disease (COVID-19), for a term commencing on October 7, 2021 and continuing through October 6, 2022, for a total not-to-exceed amount of \$1,000,000.00, is hereby amended to: 1) authorize saliva and other related COVID-19 testing services in addition to the nasopharyngeal testing services; 2) extend the term of the Agreement, without additional cost, through May 12, 2023; and 3) authorize Quadrant Biosciences as an approved subcontractor of WCHCC for the provision of Clarifi COVID-19 Saliva tests; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions set forth in the 2021 Resolution shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this Resolution in the manner prescribed by law.

Account to be Charged/Credited			Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars	
	Fund	Dept					
Budget Funding Year(s) (must match resolution)	2021 - 2023	Start Date	10/7/2021	End Date	05/12/2023		
Funding Source (must match resolution)	Tax Dollars	_____					
	State Aid	_____					
	Federal Aid	_____					
	Other	_____					

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/07/2022 - RAYMOND SCULKY, SECRETARY