

9429

Date: April 19, 2010

To: Board of Acquisition and Contract

From: Kevin Cheverko
Acting Commissioner of Correction

Re: Authority to Amend an Intermunicipal Agreement with the City of Peekskill for Round Trip Prisoner Transportation between Peekskill and the Westchester County Jail for the Term Commencing January 1, 2008 and terminating December 31, 2009, by increasing the total amount not to exceed by an additional \$67,000, from \$307,088 to \$374,088.

The County, acting by and through the Department of Correction (the "Department"), entered into an Intermunicipal Agreement (the "IMA") with the City of Peekskill ("Peekskill") for the term commencing January 1, 2008 through December 31, 2009, whereby Peekskill provided round trip transportation for prisoners between Peekskill City Court and the Westchester County Jail in Valhalla, New York for a total not to exceed amount of \$307,088.

The Westchester County Board of Legislators, by Act No. 20 - 2010 adopted on April 5, 2010, authorized an amendment to the IMA increasing the total amount of the IMA by \$4,000 to a new total amount not to exceed \$374,088. It should be noted that although the Board of Legislators originally authorized an IMA in the amount of \$370,088, your Honorable Board, due to a typographical error, authorized an IMA in the reduced amount of \$307,088. Although the April 2010 legislation of the Board of Legislators authorizes a \$4,000 increase in the IMA, a \$67,000 increase in the amount of the IMA will be required in order to bring the IMA to the authorized amended sum of \$374,088. This amendment is necessary as the result of the error in the amount of the IMA and as the result of an increase in the number of arrests in Peekskill and the corresponding increase in the number of prisoner transports that Peekskill has been required to make in both 2008 and 2009. Accordingly, authority is now respectfully requested to amend the IMA with Peekskill for the term commencing January 1, 2008 through December 31, 2009, by increasing the total amount authorized by an additional \$67,000, from \$307,088 to \$374,088, in order to fully reimburse them for their 2008 through 2009 costs for transporting prisoners between Peekskill and the Westchester County Jail located in Valhalla, New York.

Except as specifically amended hereby, all other terms and conditions of the IMA shall remain in full force and effect.

The public purpose of the proposed agreement is for the County to carry out its duty to transport arraigned prisoners between local courts and the County Jail in order to make mandatory court appearances in a cost effective manner. The goal of maintaining the safety of the public and prisoners while prisoners are transported to and from the County Jail will be tracked and monitored by the Department of Correction through booking records and monthly invoices. This agreement is exempt from procurement pursuant to §3(a)(iii) of the County Procurement Policy.

The approval of this contract will assure the public safety of County residents and will permit the transportation of prisoners which the County is required to provide pursuant to Section 500-c and 500-d of the Correction Law, at the best rate possible. If this Agreement is not authorized, the County will be required to provide transportation to all prisoners remanded to the County Jail at a greatly increased cost to the taxpayers. The proposed agreement is in the best interests of the County and is fiscally responsible, because the cost of acquiring appropriate vehicles and assigning required personnel to provide such prisoner transportation, would far exceed the cost of this agreement.

A Resolution is annexed hereto which I recommend for your favorable consideration.

KC/DI:sw

APPROVED BOARD OF ACQUISITION & CONTRACT - 5-20-2010 - JOMARRA MURPHY, SECRETARY

RESOLUTION

Upon a communication from the Acting Commissioner, Department of Correction, be it hereby

RESOLVED, that the County of Westchester is authorized to amend an Intermunicipal Agreement (“IMA”) with the City of Peekskill (“Peekskill”) for the term commencing January 1, 2008 and terminating December 31, 2009, whereby Peekskill provided round trip transportation for prisoners between Peekskill and the Westchester County Jail located in Valhalla, New York, by increasing the total not-to-exceed amount of the IMA by an additional \$67,000, from \$307,088 to \$374,088; and be it further

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

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

Original Agreement \$307,088
 This Amendment 67,000
 TOTAL \$374,088

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	35	35J025	4445		\$67,000

Budget Funding Year(s) 2008-9 Start Date 1/01/08 End Date 12/31/09
 (must match resolution)

Funding Source Tax Dollars X
 State Aid _____
 \$ \$67,000 Federal Aid _____
 (must match resolution)
 Other _____