



Catherine Borgia
Chairwoman,
Westchester County
Board of Legislators

OnBase ID #100837

DATE: April 25, 2023

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 Center for Independent Productions, Inc., for the provision of its community arts theatre production program for a term commencing retroactively from January 1, 2023 and continuing through December 31, 2023, for an amount not-to-exceed \$40,000.00, pursuant to an approved budget.

Attached for your consideration is a Resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through the Westchester County Board of Legislators (the "Board"), to enter into an agreement (the "Agreement") with The Center for Independent Productions, Inc. ("CIP"), for the provision of its community arts theatre production program, for a term commencing retroactively from January 1, 2023 and continuing through December 31, 2023. In consideration for the services rendered, CIP will be paid an amount not-to-exceed \$40,000.00, pursuant to an approved budget, with half due and payable upon full execution of the Agreement, and the other half due and payable on or about September 1, 2023.

The purpose of this Agreement is to provide Westchester County residents a community arts theatre production program that will provide audiences with important, reflective stories that may help improve their lives.

The goals and objectives of this Agreement is for CIP to bring the community together through art and to showcase incredibly talented artists living in and around Westchester.

The goals and objectives of this Agreement will serve a public purpose by providing Westchester County residents with access to the arts through this community arts theater production program.

The goals and objectives of the Agreement will be tracked and monitored by the Board, which will be responsible for monitoring CIP's performance by means of a performance measurement report, which shall describe how many participants took part in each of the activities set forth in the Scope of Work in the Agreement.

The Agreement is exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3 (a)(xiii) thereof, for any procurement for the purpose of entering into a contract or contracts with not for profit organizations for the support, enhancement, or preservation of cultural resources and the arts.

Accordingly, authority is respectfully sought for the County of Westchester to enter into this Agreement.

CB/SC/mb
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/18/2023 - RAYMOND SCHEIDT, SECRETARY

RESOLUTION

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

RESOLVED, that authority is hereby granted to the County of Westchester (the "County") acting by and through the Westchester County Board of Legislators (the "Board"), to enter into an agreement (the "Agreement") with The Center for Independent Productions, Inc. ("CIP"), for the provision of its community arts theatre production program; and be it further,

RESOLVED, that the term of the Agreement shall commence retroactively from January 1, 2023, and continue through December 31, 2023; and be it further,

RESOLVED, that in consideration for the services rendered, CIP will be paid an amount not-to-exceed \$40,000.00, pursuant to an approved budget, with half due and payable upon full execution of the Agreement, and the other half due and payable on or about September 1, 2023; 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 CIP, then CIP shall have the right to terminate this 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	\$40,000.00

Budget Funding Year(s) Start Date 1/1/23 End Date 12/31/23
(must match resolution)

