

11539

May 18, 2010

TO: The Honorable Board of Acquisition and Contract

FROM: Kevin J. Plunkett
Deputy County Executive

RE: **Authority to enter into an agreement with the Westchester Arts Council, Inc. d/b/a ArtsWestchester (“ArtsWestchester”) pursuant to which ArtsWestchester will administer and deliver the County of Westchester’s (the “County”) cultural services to County residents, manage a County-wide arts-in-education program, and provide marketing and information services informing County residents and visitors of the numerous arts opportunities available throughout the County, in an amount not to exceed One Million Forty-Eight Thousand Eight Hundred Forty-Two (\$1,048, 842) Dollars, commencing January 1, 2010 and expiring December 31, 2010.**

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the “County”) to enter into an agreement (the “Agreement”) with the Westchester Arts Council, Inc. d/b/a ArtsWestchester (“ArtsWestchester”), pursuant to which ArtsWestchester will administer and deliver the County of Westchester’s (the “County”) cultural services to County residents, manage a County-wide arts-in-education program, and provide marketing and information services informing County residents and visitors of the numerous arts opportunities available throughout the County, in an amount not to exceed One Million Forty-Eight Thousand Eight Hundred Forty-Two (\$1,048, 842) Dollars, commencing January 1, 2010 and expiring December 31, 2010, payable pursuant to an approved budget, in quarterly installments as follows: the first quarter payment shall be \$116,538; the second, third and fourth quarter payments shall be equal payments of \$252,499. The money shall be expended by ArtsWestchester to carry out the scope of services attached hereto as Schedule “A” and in accordance with the approved budget attached hereto as Schedule “B”.

As more fully described in the scope of services attached as Schedule “A”, ArtsWestchester shall manage and deliver the County’s cultural services to County residents. These services are designed to enrich the lives of County residents by providing access and involvement in the arts to all County residents. ArtsWestchester will provide these services directly and will subcontract with at least thirty-five (35) eligible organizations to provide these services, including but not limited to Caramoor Center for Music and the Arts, Katonah Museum

of Art, Historic Hudson Valley, Jacob Burns Film Center, the National Trust for Historic Preservation on behalf of Lyndhurst, the Neuberger Museum, Paramount Center, the Performing Arts Center at SUNY Purchase and the Westchester Philharmonic.

Pursuant to the Agreement, ArtsWestchester shall also partner with school districts and human service agencies throughout the County, in order to provide arts services that enrich learning of core curricula and support human service goals. ArtsWestchester shall also help districts that serve large populations of students from economically disadvantaged families, including, but not limited to Mount Vernon, Greenburgh and Yonkers, build resources enabling them to improve education through the arts, provide schools and community organizations with access to a roster of teaching artists who have the skills, training and experience to conduct on-site artist residencies, provide technical assistance to teaching artists, educators and staff of human service agencies, and raise and distribute funds for curricula-based, artist residencies to eligible schools.

Pursuant to the Agreement, ArtsWestchester shall also provide a website, www.artswestchester.org, which will serve as a one-stop location for anyone seeking information about arts and culture in the County. The primary feature, an interactive calendar, is accessible from each page, and is searchable by date, artistic genre, venue and location, so residents and visitors alike can use one site to easily find information about events offered throughout the County that match their individual preferences. The site will also promote and link to County parks, business organizations, tourism and commercial entertainment venues. The website also provides a link for each of more than one hundred (100) cultural organizations so visitors can easily purchase tickets. During the contract period, ArtsWestchester will develop and implement a strategic marketing plan, introducing www.artswestchester.org to the public and promoting its use, partner with not-for-profit cultural organizations, government agencies, community and civic groups, to broaden public awareness and use of the site; develop an assessment plan; and provide technical assistance to cultural organizations represented on the site.

In addition, ArtsWestchester will produce ten (10) twelve (12) to sixteen (16) page issues of ArtsNews, which will be inserted into The Westchester County Business Journal, and will be provided to more than one thousand (1,000) individuals on ArtsWestchester's mailing list, libraries, train stations and to various County office buildings. This publication is the most comprehensive printed arts calendar in the County, with an online version distributed weekly.

The total not to exceed amount of the agreement is ten percent (10%) less than the amount allocated to ArtsWestchester in the County's 2010 Budget. The County has reduced the amount of the Agreement due to budgetary constraints. The County has agreed with ArtsWestchester to review the County's projected budget status and advise ArtsWestchester not later than July 1, 2010 if the County is amenable to amending the contract to increase both the funding and the scope of services. The County shall have no obligation to increase the amount of the Agreement and any such amendment shall be solely at the County's discretion.

The goals and objects of the Agreement will support the public welfare of the County by enabling ArtsWestchester to fulfill its role as the County's designated agency for delivering arts and cultural services to county residents. Working in partnership with not-for-profit cultural

organizations throughout the County, ArtsWestchester ensures that County residents have access to a robust and diverse array of cultural services, ranging from concerts, exhibitions and performances to family workshops and arts education programs. These cultural amenities enhance the quality of life of County residents, bolsters the County as a desirable place in which to live and work, and supports the County's efforts to attract and retain corporations. Arts-in-education strategies that use the arts as instructional tools enhance both teaching and learning. ArtsWestchester has been engaged in arts-in-education for more than two (2) decades, helping schools and districts integrate the arts into classrooms. Experience and research demonstrate that carefully designed, multi-session artist residencies motivate students to learn core curricula, help them retain what they learn longer and enable them to develop critical thinking skills that are necessary for success in college and in the workforce. Hands on, multi-session arts making workshops are equally effective in helping young people and adults develop social and developmental skills. ArtsWestchester's comprehensive marketing program will provide thousands of County residents and visitors with information about local cultural resources available to them and their families. In addition to the benefits that individuals/families derive from participating in the arts, increasing attendance at cultural events yields a significant economic impact. An independent study undertaken by Americans for the Arts concludes that the County's not-for-profit arts industry contributed almost One Hundred Twenty Million (\$120,000,000) Dollars to the County's economy in 2005. With the demise of The New York Time's Westchester section and reduced cultural coverage in The Journal News, ArtsWestchester has become the public's single most important resource for cultural information.

The goals and objective of the Agreement will be tracked by direct reporting of the results to the County by ArtsWestchester, through the submission of an interim report on or before June 30, 2010 and a final report on or before September 30, 2011, in accordance with the approved Performance Measurements, as more fully set forth in the attached Schedule "A"

The Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)xii thereof.

Accordingly, I recommend and urge your Honorable Board's approval of the annexed Resolution.

RESOLUTION

Upon a communication from the Deputy County Executive, it is hereby:

RESOLVED, that the County of Westchester (the "County") is authorized to enter into an agreement with the Westchester Arts Council, Inc. d/b/a ArtsWestchester ("ArtsWestchester") pursuant to which ArtsWestchester will administer and deliver the County of Westchester's (the "County") cultural services to County residents, manage a County-wide arts-in-education program, and provide marketing and information services informing County residents and visitors of the numerous arts opportunities available throughout the County as more fully set forth in the attached Schedule "A", in an amount not to exceed One Million Forty-Eight Thousand Eight Hundred Forty-Two (\$1,048, 842) Dollars, commencing January 1, 2010 and expiring December 31, 2010, payable pursuant to an approved budget, in quarterly installments as follows: the first quarter payment shall be \$116,538; the second, third and fourth quarter payments shall be \$252,499 which shall be spent in accordance with the approved budget attached as Schedule "B", and be it further

RESOLVED, that after assessing the County's projected budget status, the County Executive or his authorized designee shall notify ArtsWestchester by not later than July 1, 2010 of any decision to increase this contract funding, however, the County shall have no obligation to increase the amount of the Agreement and any such amendment to the agreement shall be subject to the approval of this Board of Acquisition and Contract; 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 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 the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Service Provider, then the Service Provider shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his authorized designee, is hereby authorized to execute any documents and take any 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	Object/ Sub- Object	Trust Account	Dollars
101	52	2010	5100		\$1,048, 842

Budget Funding Year(s) 2010 Start Date 1/1/10 End Date 12/31/10
(must match resolution)

Funding Source Tax Dollars \$1,048, 842
State Aid _____
Federal Aid _____

\$ 1,048, 842
(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 5/20/2010 - JOHANNY VEIRA, SECRETARY

SCHEDULE "A"
SCOPE OF SERVICES

2010 SCOPE OF SERVICES

The \$1,048,842 contract enables ArtsWestchester to provide the following services:

- 1) administer the county's cultural services
- 2) manage a county-wide arts-in-education program
- 3) provide marketing and information services that lets residents and visitors to the county know about the variety of arts opportunities available to them.

1. Administer the County's Cultural Services

Public purpose:

The contract enables ArtsWestchester to fulfill its role as the County's designated agency for delivering arts and cultural services to county residents. Working in partnership with not-for-profit cultural organizations throughout the county, ArtsWestchester insures that residents have access to a robust and diverse array of cultural services, ranging from concerts, exhibitions and performances to family workshops and arts education programs. These cultural amenities enhance the quality of life, bolsters Westchester as a desirable place in which to live and work, and supports the county's efforts to attract and retain corporations.

Statement of Service:

ArtsWestchester manages and oversees the county's cultural services, through a competitive review process. The process insures that subcontractors are selected on a fair and impartial basis. The services are designed to enrich the lives of county residents and communities through access and involvement in the arts.

ArtsWestchester will subcontract with at least 35 eligible organizations through its Basic Program Support program. Of the total annual contract amount of \$1,048,842, ArtsWestchester will distribute \$803,700 through subcontracts with not-for-profit cultural groups, of which no less than \$400,000 in aggregate will go to organizations known as Cultural Destinations. These include:

- Caramoor Center for Music and the Arts
- Katonah Museum of Art
- Historic Hudson Valley
- Jacob Burns Film Center
- The National Trust for Historic Preservation on behalf of Lyndhurst

- The Neuberger Museum
- Paramount Center
- The Performing Arts Center at SUNY
- Westchester Philharmonic

ArtsWestchester distributes a request for proposals specifying the criteria applicants must meet and providing information about organizations' mission, audiences, programs and services, and financial status. ArtsWestchester provides technical assistance to potential applicants; identifies highly qualified arts professionals to serve as an independent panel to review the applications and convenes and manages the panel process. The panel thoroughly reviews proposals and prepares recommendations for a committee of the Board of Trustees. The Board of Trustees reviews the committee's recommendations and with consultation with the county, makes a final decision on awards.

ArtsWestchester monitors services provided by subcontractors and does "due diligence" on behalf of the county via site visits, meetings, and written reports and measurable outcomes.

Throughout the year, ArtsWestchester provides on-going technical assistance and professional development opportunities to subcontractors, helping them to build their capacity and service quality.

Target population: Westchester residents.

2. Manage a County-Wide Arts in Education Program

Public Purpose.

Arts-in-education—strategies that use the arts as instructional tools—enhance both teaching and learning. ArtsWestchester has been engaged in arts-in-education for more than two decades, helping schools and districts integrate the arts into classrooms. Experience and research demonstrate that carefully designed, multi-session artist residencies motivate students to learn core curricula, help them retain what they learn longer and enable them to develop critical thinking skills that are necessary for success in college and in the workforce. Hands-on, multi-session arts-making workshops are equally effective in helping young people and adults develop social and developmental skills. For that reason, homeless shelters, programs for seniors, Head-Start centers, after-school and teen prevention programs and other human service agencies benefit from the arts services we deliver.

Statement of services:

ArtsWestchester will:

- Partner with school districts and human service agencies throughout the county, providing arts services that enrich learning of core curricula and support human service goals
- Help districts that serve large populations of students from economically disadvantaged families, such as Mount Vernon, Greenburgh and Yonkers, build resources enabling them to improve education through the arts
- Conduct an annual process to select qualified artists to serve as teaching artists eligible to conduct artist residencies in schools, for human service agencies and at community sites
- Provide schools and community sites with access to a roster of teaching artists who have the skills, training and experience to conduct on-site artist residencies
- Provide technical assistance to teaching artists, educators and staff of human service agencies
- Raise funds for curricula-based, artist residencies and distribute to eligible schools through a competitive process, the Arts Partners Challenge

Target Population: Students, K-12

Adults who need special assistance to develop or maintain skills associated with being a productive citizen.

Proposed Outcomes of Service:

During the period January 1, 2010 to December 31, 2010 the Arts Council will

- Provide at least 1,800 hours of technical assistance
- Provide at least four professional development opportunities for teaching artists
- Serve at least 9,000 students and adults exclusive of those served via contracts with other county agencies or departments
- Subcontract with at least 25 schools/organizations throughout the county to provide artist, residencies designed to improve teaching and learning or the development of important social and developmental skills. These are exclusive of those served via contracts with other county agencies or departments

3. Provide Public Information Services

Public Purpose: ArtsWestchester's comprehensive marketing program provides thousands of county residents with information about local cultural resources available to them and their families. Recognizing that knowledge is the key to access, ArtsWestchester continues to build its capacity to provide information services to both residents and visitors. In addition to the benefits that individuals/families derive from participating in the arts, increasing attendance at cultural events yield a significant economic impact. An independent study undertaken by Americans for the Arts concludes that Westchester's not-for-profit arts industry contributed almost \$120 million to the county's economy in 2005.

With the demise of The New York Time's Westchester section and reduced cultural coverage in The Journal News, ArtsWestchester has become the public's single most important resource for cultural information.

Statement of Service:

A. Website. In 2010, ArtsWestchester launched a new website with support from the New York State Empire Development Corporation. Local cultural organizations and community leaders participated in the development of the site over the course of the past two years. The site, www.artswestchester.org is designed to serve as a one-stop for anyone seeking information about arts and culture in Westchester. The primary feature, an interactive calendar, is accessible from each page, and is searchable by date, artistic genre, venue and location, so residents and visitors alike can use one site to easily find information about events offered throughout Westchester County that match their individual preferences. The site will also promote and link to county parks, business organizations, tourism and commercial entertainment venues.

The website provides a page for each of more than 100 cultural organizations, linking to their sites so visitors can easily purchase tickets. During the contract period, ArtsWestchester will:

- Develop and implement a strategic marketing plan, introducing www.artswestchester.org to the public and promoting its use.
- Partner with not-for-profit cultural organizations, government agencies, community and civic groups, to broaden public awareness and use of the site
- Develop an assessment plan
- Provide technical assistance to cultural organizations represented on the site.

B.. ArtsNews. Recognizing that the county's vibrant cultural life helps attract and retain businesses, ArtsWestchester will produce ten 12- to 16-page issues of ArtsNews, which will be inserted into ArtsWestchester's The Westchester County Business Journal, more than 1,000 individuals on our mailing list, and distributed to libraries, train stations and to various county office buildings. This publication is the most comprehensive printed arts calendar in the county, with an online version distributed weekly. Distributing ArtsNews online and through the Business Journal builds the business community's awareness of the number, variety and diversity of the county's cultural offerings and boosts ticket sales and earned income.

Proposed Outcomes of Service:

- Increase unique visitors to ArtsWestchester's website by at least double the 2009 number
- Increase unique visitors to websites of other cultural organizations by at least 10%.
- Produce ten issues of ArtsNews, reaching at least 40,000 readers each month.

SCHEDULE "B"
BUDGET

2010 Westchester County Contract
Total Contract Amount: \$1,048,842

**Administer Cultural Services for
Westchester**

Subcontracts: Tier I Cultural Destinations	\$ 400,000
Subcontracts: Tier II and III	\$ 403,700
Sub Total Subcontracts	\$ 803,700
Administration of Subcontracts	\$ 93,093
Technical Assistance to Subcontractors	\$ 30,548
Management of Arts in Education Program	\$ 50,000
Public Information Services	\$ 71,500
Total	\$1,048,841

APPROVED BOARD OF ACQUISITION & CONTRACTS 5-20-2010 - JOMARY VIEIRA, SECRETARY