

13863

To: Honorable Members  
Board of Acquisition and Contract

From: Kerry Oristano  
Commissioner of Human Resources

Date: September 2, 2010

Re: **RESOLUTION TO EXEMPT FROM WESTCHESTER COUNTY PROCUREMENT POLICY AN AGREEMENT WITH JOHN RUSSELL IMLAY FOR THE PROVISION OF CONSULTING SERVICES IN CONNECTION WITH THE PROCESSING OF COUNTY PERSONNEL EMPLOYMENT TRANSACTIONS FOR THE PERIOD OF SEPTEMBER 1, 2010 TO DECEMBER 31, 2010, IN AN AMOUNT NOT TO EXCEED \$20,000 AS BEING IN THE BEST INTERESTS OF THE COUNTY PURSUANT TO SECTION 3(A)XXI OF THE PROCUREMENT POLICY**

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The attached resolution (the "Resolution"), would, if approved by your Honorable Board, exempt from the procedural requirements of the Westchester County Procurement Policy (the "Procurement Policy") a proposed agreement (the "Agreement") between the County of Westchester (the "County") acting by and through the County's Department of Human Resources ("HR") and John Russell Imlay (the "Consultant") for the provision of consulting services in connection with processing of County personnel employment transactions. The proposed agreement would be for the term of September 1, 2010 to December 31, 2010, in an amount not to exceed \$20,000, payable at the rate not to exceed \$46.86 per hour.

The Consultant recently retired from the County and will have direct impact on the County's layoff process which will be undertaken by Human Resources shortly. The Consultant is one of HR's most experienced staff members with regard to layoff procedures. Additionally, HR is expecting to process layoffs for Westchester Medical Center as well as towns and villages in Westchester for whom HR provides civil service administration. To accomplish this task, we will be using ten staff members, four of whom have little or no experience with the layoff process and will require extensive oversight and training. The Consultant will provide specialized knowledge, and the necessary support and guidance to the less experienced staff members in preparation for, and during, the layoff process.

Ordinarily under Section 5(a) of the Procurement Policy, the County is required to solicit written or oral quotations from no fewer than three persons customarily providing such services. However, pursuant to Section 3(a)xxi of the Procurement Policy, where this Honorable Board determines, by resolution passed prior to the commencement of procurement, that compliance with the policy would not be in the best interests of the County, the requirements of the Procurement Policy may be waived. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the proposed Agreement from the provisions of the County Procurement Policy. Accordingly, a Resolution to exempt this Agreement from the provisions of the Procurement

Policy is hereby submitted for the Board's consideration. Please note that because this agreement does not exceed one year and is for a total amount not to exceed \$20,000, it is not necessary to submit a resolution seeking authority to enter into this Agreement.

The objective of the agreement is in the County's best interest because the Consultant's work will help the County to efficiently conduct the layoff process – a process which will save taxpayer funds -- accurately and expeditiously. The goals and objectives of the agreement are to provide the County's Human Resources Department staff with expert support and training. The agreement's progress shall be tracked by the Department of Human Resources through assessment of the Consultant's monthly billing.

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

KO/jpi  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 10-1-2010 - JOMARY VIEIRA, SECRETARY

**RESOLUTION**

Upon a communication from the Commissioner of the Department of Human Resources, be it hereby

**RESOLVED**, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy, it is hereby determined that application of the procedure requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interest of the County in connection with the procurement of an agreement with John Russell Imlay for the provision of consulting services in connection with the processing of County personnel employment transactions.

APPROVED BOARD OF ACQUISITION & CONTRACT - 10-1-2010 - JOMARY VIEIRA, SECRETARY