

15439

DATE: November 18, 2010

TO: Board of Acquisition and Contract

FROM: Ann Marie Berg
Commissioner of Finance

SUBJECT: Authority to enter into an Agreement with Free & Clear, Inc. (“Free and Clear”) pursuant to which Free & Clear will provide a Quit For Life® program to help County employees quit smoking, for the period from January 1, 2011 through December 31, 2011 in an amount not to exceed Twenty-five Thousand (\$25,000.00) Dollars

Authority is requested from your Honorable Board for the County of Westchester (“County”) to enter into an agreement with Free & Clear pursuant to which Free & Clear will provide a Quit For Life® program to help County employees quit smoking, for the period January 1, 2011 through December 31, 2011 in an amount not to exceed Twenty five Thousand Thousand (\$25,000.00) Dollars, pursuant to an approved budget.

County employees will benefit by receiving a fully covered service through the Quit For Life® program. Both counseling and nicotine replacement therapy will be provided to employees at no charge. In addition, the employee can rejoin the program at any time reinforcing the “get healthy” attitude. Participation in the program will reduce chronic disease in the lives of our employees and may also identify disease already in existence to promote prevention of increased severity of disease states.

The benefits of an employee smoking cessation program for the County are significant and there is a return on investment for this program in two respects. First, in terms of health care charges, smokers incur 18% more average annual health care expenses than non-smokers. Second, in terms of workplace productivity, smokers take an average of 2.5 more sick days a year, more breaks, and are less productive than non-smokers. The Center for Disease Control has quantified all of these amounts to a total potential return of \$3,500.00 per year, per quitter.

The goals and objectives of this agreement are to help County employees quit the smoking habit as well as provide Preventive Services under the new Affordable Care Act. The goals and objectives are in the best interests of the County in terms of public health and fiscal

responsibility because such a program will not only help County employees to quit smoking, thereby improving their overall health, but will also reduce health care costs and increase employee productivity. The goals and objectives will be tracked and monitored by Free & Clear which will report to the County Benefits Department, on a monthly basis, the number of people who have participated in the program and those who have successfully quit smoking. Free & Clear will also track the numbers of those individuals who participate in counseling and those that receive nicotine replacement therapy, separately.

This agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)(viii) thereof.

An appropriate Resolution is herewith attached for your Honorable Board's consideration.

AMB/JPI

APPROVED BOARD OF ACQUISITION & CONTRACT - 12-16-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Finance, be it hereby

RESOLVED, that the County of Westchester (the “County”) is authorized to enter into an agreement with Free & Clear, Inc. (“Free & Clear”) pursuant to which Free & Clear will provide a Quit For Life® program to help County employees quit the smoking habit, for the period from January 1, 2011 through December 31, 2011; and be it further

RESOLVED, that in consideration for services to be rendered, the County shall pay Free & Clear a total amount not-to-exceed Twenty-five Thousand (\$25,000.00) Dollars, pursuant to an approved budget; and be it further

RESOLVED, that this Agreement is subject to County Appropriation; 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 budget(s) 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 the Contractor, then the Contractor 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 empowered to execute any document necessary to implement this Resolution.

Account to be charged

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
617	61	0010	1680	n/a	\$25,000.00

Budget Funding Year(s) 2011 Start Date: January 1, 2011 End Date: December 31, 2011
(must match resolution)

Funding Source Tax Dollars \$25,000.00
State Aid _____
\$ 25,000.00 Federal Aid _____
(must match resolution) Other _____