



Memorandum
Department of Correction

18406

To: Board of Acquisition and Contract

From: Kevin M. Cheverko
Commissioner, Department of Correction

Date: March 31, 2011

Re: Resolution authorizing the County of Westchester to enter into Thirty (30) Intermunicipal Agreements with municipalities for round trip Prisoner Transportation between the municipality and the Westchester County Jail for the term commencing January 1, 2011 and terminating December 31, 2012 in the annual not to exceed amount of \$543,582 in 2011 and \$562,607 in 2012 for a total aggregate amount not to exceed \$1,106,189

On March 28, 2011, the Westchester County Board of Legislators adopted Act Number 36 - 2011 authorizing the County to enter into thirty (30) intermunicipal agreements for the term commencing January 1, 2011 through December 31, 2012, whereby the municipalities will provide round trip transportation for prisoners between the municipalities and the Westchester County Jail in Valhalla, New York. The aggregate of all thirty (30) agreements will be in the annual not to exceed amount of \$543,582 in 2011 and \$562,607 in 2012 for a total aggregate amount not to exceed \$1,106,189, payable at zone rates ranging between \$171.45 and \$204.09, plus mileage per round trip. In the event round trips exceed three (3) hours in duration, seven or more prisoners are being transported, or a prisoner to be transported is charged with a Class A felony or is classified as an "A" or "AA" prisoner, then the municipality will be reimbursed at the actual hourly wage and fringe benefit cost as determined in the applicable collective bargaining agreement between the municipality and the Municipal Police Association for police officers and/or matrons. In both cases, the mileage will be paid at a flat mileage fee of fifty-one cents (\$.51) per mile, or the then-current Internal Revenue Service rate, times the distance to the County Jail. The municipality will also be reimbursed for the actual and reasonable costs of prisoner meals.

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. 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 for your consideration is annexed hereto, which I recommend for your favorable consideration.

KMC/DI:sw
Attachment

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RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to enter into thirty (30) Intermunicipal agreements with the municipalities indicated on Appendix "A" which is attached hereto and made a part hereof for the term commencing January 1, 2011 and terminating December 31, 2012, whereby the municipalities will provide round trip transportation for prisoners between each municipality and the Westchester County Jail located in Valhalla, New York, in the aggregate not to exceed annual amount of \$543,582 in 2011 and \$562,607 in 2012 for a total aggregate amount not to exceed \$1,106,189, payable at the zone rates indicated in Appendix "A" plus a mileage fee of fifty-one cents (\$.51) per mile, or at the then-current Internal Revenue Service mileage rate, at the distance indicated in Appendix "A." In the alternative, in the event that the round trip exceeds three (3) hours in duration, or seven (7) or more prisoners are being transported, or a prisoner to be transported is charged with a Class "A" felony or is classified as an "A" or "AA" prisoner, then the municipality will be reimbursed at the hourly wage and fringe benefit cost as determined in the applicable collective bargaining agreement between the municipality and the Municipal Police Association for police officers and/or matrons for the actual hours worked, plus a flat mileage fee of fifty-one cents (\$.51) per mile, or at the then-current Internal Revenue Service mileage rate, at the distance indicated in Appendix "A." In addition, each municipality will be reimbursed for the reasonable cost of prisoner meals; and be it further

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



Memorandum
Department of Correction

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2011	101	35	1000	4445		\$543,582
2012	101	35	1000	4445		\$562,607

Budget Funding Year(s) 2011-12 Start Date 1/01/11 End Date 12/31/12
 (must match resolution)

Funding Source Tax Dollars \$1,106,189
 State Aid _____
 Federal Aid _____
 Other _____

\$ 1,106,189
 (must match resolution)

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APPENDIX A

**ZONE PLAN REIMBURSEMENT RATES
WITH DISTANCE TRAVELED TO AND FROM
WESTCHESTER COUNTY DEPARTMENT OF CORRECTION**

(Effective Term: January 1, 2011 through December 31, 2012)

POLICE AGENCY

ROUND TRIP DISTANCE

ZONE #1 (1 - 10 Miles)

Reimbursed Rate Per Round Trip:	(1/1/11 – 12/31/11)	\$171.45
	(1/1/12 – 12/31/12)	\$177.45

Plus mileage reimbursed at \$.51 (or the then current IRS mileage rate) times distance.

Elmsford, Village	6 Miles
Mount Pleasant, Town	7 Miles
Sleepy Hollow, Village	8 Miles
Pleasantville, Village	8 Miles
Tarrytown, Village	10 Miles

ZONE #2 (11 - 20 Miles)

Reimbursed Rate Per Round Trip:	(1/1/11 – 12/31/11)	\$180.03
	(1/1/12 – 12/31/12)	\$186.33

Plus mileage reimbursed at \$.51 (or the then current IRS mileage rate) times distance.

Irvington, Village	12 Miles
Briarcliff Manor, Village	14 Miles
New Castle, Town	16 Miles
North Castle, Town	16 Miles
Dobbs Ferry, Village	17 Miles
Ardsley, Village	18 Miles
Scarsdale, Village	19 Miles
Ossining, Village	20 Miles
Ossining, Town	20 Miles
Hastings-on-Hudson, Village	20 Miles

ZONE #3 (21 - 30 Miles)

Reimbursed Rate Per Round Trip: (1/1/11 – 12/31/11) \$188.57
(1/1/12 – 12/31/12) \$195.17

Plus mileage reimbursed at \$.51 (or the then current IRS mileage rate) times distance.

Rye Brook, Village	23 Miles
Harrison, Town	23 Miles
Croton-on-Hudson, Village	24 Miles
Rye, City	25 Miles
Mount Kisco, Village	25 Miles
Tuckahoe, Village	25 Miles
Eastchester, Town	25 Miles
Port Chester, Village	28 Miles
Bronxville, Village	30 Miles
Mamaroneck, Village	30 Miles
Pelham, Town	30 Miles

ZONE #4 (31 - 40 Miles)

Reimbursed Rate Per Round Trip: (1/1/11 – 12/31/11) \$197.19
(1/1/12 – 12/31/12) \$204.09

Plus mileage reimbursed at \$.51 (or the then current IRS mileage rate) times distance.

Mamaroneck, Town	31 Miles
Larchmont, Village	32 Miles
Pelham Manor, Village	35 Miles
Buchanan, Village	35 Miles