

18990

TO: Honorable Board of Acquisition and Contract

FROM: John J. Hsu, P.E.
Commissioner of Public Works and Transportation

DATE: May 2, 2011

SUBJECT: Authority for the County of Westchester to enter into an agreement with the New York State Industries for the Disabled, Inc. to provide janitorial services at the White Plains Bus Terminal for a term May 1, 2011 through April 30, 2013, for an amount not to exceed \$222,994.03, payable pursuant to an approved budget, and to approve Jawonio, Inc. as a subcontractor (Agreement No. 11-911)

Authority is requested for the County of Westchester (the "County") to enter into an agreement with the New York State Industries for the Disabled, Inc. ("NYSID") as a preferred source to provide janitorial services at the White Plains Bus Terminal located at 85 North Lexington Avenue, White Plains, New York for a term May 1, 2011 through April 30, 2013, and to approve Jawonio, Inc. as a subcontractor.

The contract will be in an amount not to exceed \$222,994.03 payable pursuant to an approved budget and subject to County appropriations as follows:

Year 1 Not to Exceed	\$109,558.56
Year 2 Not to Exceed	<u>\$113,435.47</u>
Total Not to Exceed	\$222,994.03

NYSID is a non-profit organization established in 1976 by the New York State Commissioner of Education to act as a central coordinator for member organizations which serve people with disabilities, by making them eligible for State contracts as preferred sources. Currently, 156 rehabilitation agencies are certified for NYSID membership. Jawonio, Inc. is such a member agency.

In accordance with Section 162 of the New York State Finance Law, certain providers have "preferred source" status under the law. The acquisition of designated commodities and/or services from preferred sources is required and the County can only proceed with competitive bidding if the preferred source does not submit a notice of intent to perform the service in the form, function and utility required within 10 days of receiving notice from the County. This includes janitorial services. The New York State Office of General Services, as required by regulation, has determined that the fee to be paid under this contract is reasonable based on the applicable prevailing wage schedule established by the Commissioner of Labor and taking into account the provisions of the County's Living Wage Law.

NYSID will perform the janitorial services by utilizing Jawonio, Inc. as a subcontractor. NYSID and Jawonio, Inc. have satisfactorily provided these services to the County in the past.

The goals and objectives of this agreement are to obtain janitorial services for the White Plains Bus Terminal. These services are in the best interest of the County and the public by providing a clean and safe environment for passengers who use the Bee-Line System. The daily work is detailed in the contract and a weekly inspection is performed by Westchester County Department of Public Works and Transportation personnel.

I recommend approval of the attached proposed Resolution.

JJH/DLV/dv
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/19/2011 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, it is hereby

RESOLVED, that the County of Westchester (the "County") is authorized to enter into an agreement with the New York State Industries for the Disabled, Inc. ("NYSID") as a preferred source to provide janitorial services at the White Plains Bus Terminal located at 85 North Lexington Avenue, White Plains, New York for a term May 1, 2011 through April 30, 2013; and be it further

RESOLVED, that NYSID shall be paid an amount not to exceed \$222,994.03 payable pursuant to an approved budget; and be it further

RESOLVED, that Jawonio, Inc., 260 North Little Tor Road, New City, New York 10956 is approved as a subcontractor; 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 the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive, or his duly appointed designee be, and hereby is, authorized to execute such documents and take such actions as may be necessary and appropriate to effect the purposes hereof.

Agreement No. 11-911

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	161	44	2100	4380		\$ 82,168.92 year 2011
	161	44	2100	4380		\$112,466.19 year 2012
	161	44	2100	4380		\$ 28,358.92 year 2013

Budget Funding Year(s) 2011-2013 Start Date 05/01/2011 End Date 04/30/2013
 (must match resolution)

Funding Source

Tax Dollars	<u>\$222,994.03</u>
State Aid	_____
Federal Aid	_____
Other	_____

\$222,994.03
 (must match resolution)