

23283

December 2, 2011

TO: Board of Acquisition and Contract

FROM: Evan Latainer
Director, Office for the Disabled

RE: **Resolution authorizing the County of Westchester (the "County") to amend its agreement with Lenore Pemberton for sign language interpretation services by increasing the not-to-exceed amount by \$17,500**

On January 1, 2011 the County, acting by and through its Office for the Disabled (hereafter the "Department") entered into an agreement with the Contractor pursuant to which the Contractor agreed to provide sign language interpretation services for the period January 1, 2011 through December 31, 2011 in an amount not to exceed \$20,000 (the "Agreement");

Authority is now sought to amend the Agreement by increasing the not-to-exceed amount by \$17,500 to a new total amount not to exceed \$37,500.00

Exemption of this agreement from the Westchester County Procurement Policy has been sought by separate resolution.

The goals and objective of this Agreement are to provide reasonable accommodations under the American with Disabilities Act in that sign language interpreter services are provided to deaf and hearing impaired individuals when requested by various County departments. Increased funding is requested at this time as original funding has exceeded the maximum allocated funding.

A Resolution for your consideration is annexed hereto. I recommend your favorable consideration of the annexed proposed Resolution.

RESOLUTION

Upon communication from the Office for the Disabled, be it hereby

RESOLVED, that the County of Westchester (“County”) is authorized to amend its agreement with Lenore Pemberton for sign language interpretation services by increasing the not-to-exceed amount by \$17,500 to a new total not-to-exceed amount of \$37,500; and be it further

RESOLVED, that all other terms of the Agreement shall remain the same; 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 authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Short Form Contract \$20,000
 First Amendment \$17,500
 Total \$37,500

Account to be Charged/credited	Fund	Dept	Major Program , Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
		Various	Various	Various	Various	

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

Funding Source Tax Dollars \$17,500
 State Aid _____
 \$ 17,500
 (must match resolution) Federal Aid _____
 Other _____