

23416

TO: Board of Acquisition and Contract

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

DATE: December 1, 2011

SUBJECT: Authority to enter into agreements with the listed municipalities to transfer certain paratransit buses pursuant to the lottery held on December 1, 2011 in accordance with Section 131.41 of the Laws of Westchester County (Agreement No. 11-938)

As your Honorable Board is aware, pursuant to Section 131.41 of the Laws of Westchester County, the County of Westchester (the "County") is authorized to hold a lottery offering surplus or obsolete paratransit/shuttle-type buses ("Paratransit Bus(es)") to Westchester County "municipalities," including cities, towns, villages, boards of cooperative educational services, fire districts, and school districts, for use in conjunction with various local or regional programs that benefit Westchester County residents.

To be considered for the lottery, interested municipalities were required to submit an application stating both the need for the Paratransit Bus and the way in which it would be used to benefit the citizens of Westchester County. The municipality also needed to indicate in its application that, upon winning the lottery, it would enter into an agreement with the County, among other things, certifying that it would comply with any restrictions imposed by federal or state funding and hold the County harmless in connection therewith.

The lottery was held on December 1, 2011. The following municipalities were successful in their bid to obtain the Paratransit Bus noted:

<u>Municipality</u>	<u>Year</u>	<u>Make</u>	<u>VIN #</u>
Town of Somers	2002	Ford E350	SE35F62HB44256
Town of Mamaroneck	2003	Ford E350	SE35FX3HB28093
Croton Falls Fire Department	2005	Ford E350	SE35P55HB19104
Town of Mt. Pleasant	2004	Ford E450	XE45P14HB44642
Village of Dobbs Ferry Police Department	2004	Ford E450	XE45P84HB44640
City of Rye Police Department	2004	Ford E450	XE45PX4HB44638

Authority is requested to enter into agreements with the listed municipalities to transfer ownership of the noted Paratransit Bus(es). The agreement will provide that for the sum of One (\$1.00) Dollar, the Paratransit Bus(es) are being transferred by the County in "AS IS" condition, that the County makes no representations, guarantees, or warranties, that the municipality commits to using the Paratransit Bus(es) for purposes that benefit the citizens of Westchester County, and if applicable, that the municipality will comply with any restrictions imposed by federal or state funding and hold the County harmless in connection therewith.

The goals and objectives of this lottery program are to ensure that the municipalities will be able to use and operate the Paratransit Bus(es) to benefit the citizens of Westchester County. Such public purposes include for example: transportation for senior citizens in connection with community senior center activities; transportation for public housing programs; meals on wheels programs; youth bureau programs; social welfare programs; child care programs; and health care transportation needs.

The proposed agreements are in the public's best interest and will promote the safety and general welfare of the public by offering transportation for those in need. In addition, the proposed agreements will be a valuable asset to many municipalities that could not otherwise afford to purchase a new or even used vehicle. The Department of Public Works and Transportation will monitor the transfer of each Paratransit Bus to ensure compliance with the terms of the agreement.

JH/TSA
Attachment

RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation, be it hereby:

RESOLVED, that pursuant to the lottery held on December 1, 2011 in accordance with Section 131.41 of the Laws of Westchester County, the County of Westchester, acting by and through its Department of Public Works and Transportation, is hereby authorized to enter into agreements with each of the following municipalities for the Paratransit Bus(es) identified below:

<u>Municipality</u>	<u>Year</u>	<u>Make</u>	<u>VIN #</u>
Town of Somers	2002	Ford E350	SE35F62HB44256
Town of Mamaroneck	2003	Ford E350	SE35FX3HB28093
Croton Falls Fire Department	2005	Ford E350	SE35P55HB19104
Town of Mt. Pleasant	2004	Ford E450	XE45P14HB44642
Village of Dobbs Ferry Police Department	2004	Ford E450	XE45P84HB44640
City of Rye Police Department	2004	Ford E450	XE45PX4HB44638;

and be it further

RESOLVED, that the listed Paratransit Bus(es) are being transferred by the County in "AS IS" condition, with no representations, guarantees, or warranties, for the sum of One (\$1.00) Dollar and a contractual commitment to use the Paratransit Bus(es) for purposes that benefit the citizens of Westchester County, and, if applicable, municipalities will certify that they will comply with any restrictions imposed by federal or state funding and hold the County harmless in connection therewith; and be it further

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

Agreement No. 11-938

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
						\$1.00 Revenue
						(Waived)

Budget Funding Year(s) _____ **Start Date:** _____ **End Date:** _____
(must match resolution)

Funding Source: **Tax Dollars** N/A

Contractor Federal I.D. No./ Social Security No.: _____

State Aid _____

\$ _____ **Federal Aid** _____
(must match resolution)

Vendor No.: _____

Other _____

Encumbrance No.: _____