



#27593

Date: June 14, 2012

To: Honorable Board of Acquisition and Contract

From: Hon. Kenneth W. Jenkins  
Westchester County Board of Legislators

Re: **Authority to enter into an agreement with the African American Chamber of Commerce of Westchester & Rockland Counties, Inc. ("AAC"), pursuant to which AAC will provide certification assistance services to Small, Minority and Women owned Businesses ("S/M/WBEs), for the period of January 1, 2012 through December 31, 2012, in an amount not to exceed \$45,000.00**

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement with the African American Chamber of Commerce of Westchester & Rockland Counties, Inc. ("AAC"), pursuant to which AAC shall provide M/WBE certification seminars and workshops to a minimum of 60 Small, Minority and Women owned Businesses ("S/M/WBEs"). Businesses which become certified M/WBEs will then be enrolled in AAC's Preparing for Profit ("PREP") course which will teach companies how to interact with government entities and other corporations.

The term of this Agreement will be for the period January 1, 2012 through December 31, 2012, in an amount not to exceed Forty-Five Thousand (\$45,000.00) Dollars, payable 50% upon contract execution, 25% upon receipt of an interim report due on June 30 and the balance upon completion of contract and receipt of final report within thirty days of the end of the contract.

The goals and objectives of this agreement are to encourage S/M/WBE participation in the local economy. The objective of the Agreement is in the County's best interest because the county has a strong interest in encouraging S/M/WBE participation in the County economy.

AAC's performance under this agreement will be measured by the number of S/M/WBEs served by the program including the number of participants who enroll in and complete the PREP training course.

As a proposal that compliance with the Procurement Policy would not be in the best interests of the County with respect to this procurement, an exemption from the Procurement Policy is being requested via a separate memo pursuant to Section 3(a)(xxi) of said Policy.

Accordingly, I recommend and urge your Honorable Board's approval of the annexed Resolution.

KWJ/mlg

## RESOLUTION

Upon a communication from the Chairman of the Westchester County Board of Legislators, be it hereby

**RESOLVED**, the attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement with the African American Chamber of Commerce of Westchester & Rockland Counties, Inc. ("AAC"), pursuant to which AAC shall provide M/WBE certification seminars and workshops to a minimum of 60 Small, Minority and Women owned Businesses ("S/M/WBEs"). Businesses which become certified M/WBEs will then be enrolled in AAC's Preparing for Profit ("PREP") course which teaches companies how to interact with government entities and other corporations, for the period of January 1, 2012 through December 31, 2012, in an amount not to exceed Forty-Five Thousand (\$45,000.00) Dollars, payable 50% upon contract execution, 25% upon receipt of an interim report due on June 30 and the balance upon completion of contract and receipt of final report within thirty days of the end of the contract; and be it further

**RESOLVED**, that the Agreement is subject to County appropriations; and be it further

**RESOLVED**, that the 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 the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Service Provider, then the Service Provider shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

**RESOLVED** that the Chairman of the Westchester County Board of Legislators, 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.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	52		L003		\$45,000.00

Budget Funding Year(s) 2012 Start Date 1/1/12 End Date 12/31/12

(must match resolution)

Funding Source Tax Dollars \$45,000.00

State Aid \_\_\_\_\_

**\$ 45,000.00** Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT 07/12/2012 - JOMARY WEMA, SECRETARY