



Westchester Community College

State University of New York

30742

November 29, 2012

To: Board of Acquisition and Contract

From: Joseph N. Hankin
President

Re: Authority for the County of Westchester to exercise a third option to renew an agreement with the Southern Westchester Board of Cooperative Educational Services for co-sponsorship of adult and continuing education programs for the period September 1, 2012 through August 31, 2013

By resolution adopted on October 8, 2009 (the "October 8th Resolution"), your Board authorized the County acting by and through the Westchester Community College (the "College") to enter into an agreement ("Agreement") with the Southern Westchester Board of Cooperative Educational Services ("Southern BOCES") whereby the College and the Southern BOCES would develop and implement co-sponsorship of adult and continuing education programs to be offered to the general public, for a term commencing September 1, 2009 and terminating August 31, 2010 with the County having the option to renew the Agreement for up to four (4) additional one (1) year terms. The Agreement was subsequently executed and has been extended twice so far.

Authority is now requested for the County to exercise its third option to renew the Agreement for the period September 1, 2012 through August 31, 2013 in an amount not to exceed Two Million Seven Hundred Seven Thousand Six Hundred Thirty Five Dollars (\$2,707,635), pursuant to an approved budget.

The College has statutory authority to enter into this Agreement pursuant to New York State Education Law section 6306(7), which states "[s]ubject to the approval of the local sponsor ... the board of trustees of each community college may enter into any contract or agreement deemed necessary or appropriate for the effective operation of the

college...”. Accordingly, approval of the Board of Legislators under GML Section 119-o is not required.

Pursuant to the terms of the Agreement, the College will furnish administrative and financial support and the Southern BOCES will furnish registration services, course announcements, teaching and other personnel together with classroom space, tuition collection and deposit services and on-site management services for the co-sponsored programs.

This Agreement is exempt from the Westchester County procurement policy pursuant to Section 3(a)(iii) thereof.

Except as specifically amended hereby, all remaining terms and conditions set forth in the Agreement shall remain unchanged.

This contract will enable the College to continue its mission of providing life long learning for the residents of Westchester County. The contract performance is monitored by the College Office of Institutional Research to ensure that contractual obligations are met by Southern BOCES.

Accordingly, I recommend the adoption of the attached resolution.

JNH/LZ/
Encs.

RESOLUTION

Upon a communication from the President of Westchester Community College, be it hereby:

RESOLVED, that the County of Westchester be and hereby is authorized to exercise its third option to renew an agreement (“Agreement”) with the Southern Westchester Board of Cooperative Educational Services (“Southern BOCES”) for the co-sponsorship of adult and continuing education programs commencing September 1, 2012 and terminating August 31, 2013, in an amount not to exceed Two Million Seven Hundred Seven Thousand Six Hundred Thirty Five Dollars (\$2,707,635) pursuant to an approved budget; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the Agreement shall remain unchanged; and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute any and all instruments and to take all action necessary to implement the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
701	8131		4408		\$2,707,635

Budget Funding Year(s) 2012/13 Start Date 9/1/12 End Date 8/31/13

(must match resolution)

Funding Source Tax Dollars _____

State Aid \$2,707,635 _____

\$ 2,707,635 Federal Aid _____

(must match resolution)

Other _____