



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

31713

DATE: January 14, 2013

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner, Department of Social Services

SUBJECT: Authority to enter into an agreement with the City of Mount Vernon, pursuant to which the County will provide the City an amount not-to-exceed \$914,125.00 in National Emergency Grant funds and the City will use said funds to hire, equip, and/or transport, and provide supervision for, temporary workers who will provide necessary labor and thereby assist in recovery efforts from damage caused by Hurricane Sandy

Authority is respectfully requested for the County of Westchester (the "County"), acting on behalf of the Westchester/Putnam Local Workforce Investment Board ("WPLWIB"), to enter into an agreement with the City of Mount Vernon (the "City"), pursuant to which the County will provide the City an amount not-to-exceed \$914,125.00 in National Emergency Grant ("NEG") funds (the "NEG Funds") and the City will use the NEG Funds to hire, equip, and/or transport, and provide supervision for, temporary workers who will provide necessary labor and thereby assist in recovery efforts from damage caused by Hurricane Sandy, for a term commencing October 30, 2012 and continuing through September 30, 2013 (the "Agreement").

The NEG Funds are federal funds made available by the United States Department of Labor under the Workforce Investment Act of 1998, as amended ("WIA"). The County anticipates receiving the NEG Funds through the New York State Department of Labor ("NYSDOL") pursuant to NYSDOL's Notice of Obligational Authority ("NOA") to the County dated December 31, 2012, as well as NYSDOL's subsequent notification to the County that it would receive additional NEG funding, with a modified NOA forthcoming as the NEG Funds are made available and expended.

The NEG Funds to be provided to the City under the proposed Agreement were made available to the County specifically so that the County could provide them to the City for the

purposes of the proposed Agreement. It should be noted that Section 2918(d) of Title 29 of the United States Code, which is part of WIA, expressly authorizes the NEG Funds to be expended through appropriate public agencies. As New York State law provides for the use of funds received under WIA pursuant to the terms and conditions of WIA, the provisions of New York State General Municipal Law 119-o do not apply. Additionally, the proposed Agreement is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)(iii) thereof.

The proposed Agreement will serve a public purpose by providing funds to the City to facilitate their hiring, equipping, and/or transporting, and providing supervision for, temporary workers who will provide necessary labor and thereby assist in recovery efforts from the damage caused by Hurricane Sandy.

The goal and objective of the proposed Agreement is to provide funds to the City to facilitate their hiring, equipping, and/or transporting, and providing supervision for, temporary workers who will provide necessary labor and thereby assist in recovery efforts from the damage caused by Hurricane Sandy.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of public health and welfare, as providing funds to the City to assist in recovery efforts from the damage caused by Hurricane Sandy will enable the city to hire, equip, and/or transport, and provide supervision for, temporary workers who will provide necessary labor. In addition, the goal and objective of the proposed Agreement is also in the best interests of the County in terms of fiscal responsibility, as the County will provide the NEG Funds to help assist in the recovery efforts as described above, and will not have to expend other County funds to provide such assistance.

The goals and objectives of the proposed Agreement will be tracked and monitored by the Department of Social Services.

I respectfully recommend approval of attached resolution.

KMM/DB/bdm/nn

RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, be it hereby:

RESOLVED, that the County of Westchester, acting on behalf of the Westchester-Putnam Local Workforce Investment Board, (the "County") is authorized to enter into an agreement with the City of Mount Vernon (the "City"), pursuant to which the County will provide the City an amount not-to-exceed \$914,125.00 in National Emergency Grant funds (the "NEG Funds") and the City will use the NEG Funds to hire, equip, and/or transport, and provide supervision for, temporary workers who will provide necessary labor and thereby assist in recovery efforts from damage caused by Hurricane Sandy, for a term commencing October 30, 2012 and continuing through September 30, 2013 (the "Agreement"); and be it further

RESOLVED, that the Agreement shall be expressly contingent upon the County's receipt of the NEG Funds from the New York State Department of Labor, and provide that the County shall have no liability whatsoever to the City in the event such funding is not received by the County; and be it further

RESOLVED, that the County Executive or his duly authorized designee is empowered to execute all documents and take all actions necessary to effectuate the purposes hereof.

Account to be Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
	275	22	087M	7350	T087C	\$914,125
	275	22	087M	9853	T087C	\$914,125

Budget Funding Year(s): 2012 Start Date: 10/30/12 End Date: 09/30/13
(must match resolution)

Funding Source Tax Dollars: _____
\$914,125.00 State Aid: _____
(must match resolution) Federal Aid: 100%
Other: _____