

33455

April 15, 2013

TO: Board of Acquisition and Contract

FROM:: George N. Longworth, Commissioner-Sheriff  
Department of Public Safety

RE: **Authority to rescind Resolution #32449 adopted March 21, 2013 and authorize an Agreement with Enterprise Holdings, Inc, for the rental of surveillance vehicles for the Department of Public Safety through the New York State Contract Award Number 22273 in the amount of \$82,533 for the term January 1, 2012 through December 31, 2013**

Authority is requested for your Honorable Board to rescind Resolution #32449 adopted on March 21, 2013 which authorized the County to amend a short form agreement with ELRAC Inc d/b/a Enterprise to increase the contract amount by \$2,533 to \$22,533 (the "Resolution") because, due to an oversight, the short form agreement was never entered into.

Pursuant to Section 104 of the New York General Municipal Law, the County is able to obtain material, equipment, supplies or services directly through the New York State Office of General Services as an alternative to publicly bidding. Authority is therefore requested for the County, through its Department of Public Safety (the "Department"), to enter into an agreement with Enterprise Holdings, Inc for the rental of surveillance vehicles for the Department of Public Safety through the New York State Contract Award Number 22273 in the amount of \$82,533, payable at rates reflected in the State Contract for the term January 1, 2012 through December 31, 2013. This agreement is required to provide surveillance vehicles for the Department as well as funding for four additional surveillance vehicles associated with a new agreement between the Department and the Internal Revenue Service ("IRS") which took effect on October 1, 2012. It should be noted that in accordance with the Agreement, the cost of these four vehicles will be reimbursed by the IRS.

The proposed Agreement is in the public's best interest as it allows the Department to participate in complex financial investigations involving local narcotics money laundering operations utilizing the specialized financial investigative experience of IRS Special Agents combined with financial reimbursement for certain operational expenses (such as overtime incurred and surveillance vehicle rentals). Additionally, the Department will receive a share of any asset forfeitures resulting from said investigations.

The goals and objectives of this program are to develop and investigate the laundering of narcotics proceeds occurring within the Westchester/New York metropolitan area with the goal of criminal prosecution and asset forfeitures relating to same.

The goals and objectives of this program will support the public safety and/or welfare by providing law enforcement with both specialized investigative and financial support to identify and disable sophisticated local criminal elements.

The goals and objectives of this program will be tracked and monitored by reviewing the program on an ongoing basis for the duration of the contract. The Commanding Officer of the Detective Division will conduct reviews during which feedback is gathered regarding the effectiveness of the program. This information will be reported to the Commissioner of the Department of Public Safety.

An appropriate resolution is herewith attached for your Honorable Board's consideration.

GNL/CPB/DI  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/25/2019

TEMP VIEW, SECRETARY

## RESOLUTION

Upon a communication from the Commissioner-Sheriff, Department of Public Safety, be it hereby

**RESOLVED**, the County is hereby authorized to rescind a resolution adopted on March 21, 2013 which authorized the County to amend a short form agreement with ELRAC Inc d/b/a Enterprise to increase the contract amount by \$2,533 for a not to exceed amount of \$22,533 for the term October 1, 2012 through December 31, 2012 (the "Resolution"); and be it further

**RESOLVED**, that the County of Westchester, acting by and through its Department of Public Safety, is authorized to enter into an agreement with Enterprise Holdings, Inc to provide surveillance vehicles pursuant to the New York State Contract for Passenger Vehicle Rental Award Number 22273 in the amount of \$82,533 payable at the rates indicated in the State Contract, for the term January 1, 2012 through December 31, 2013; 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, be, and hereby is, authorized to enter into and execute this agreement for the County of Westchester.

| Account to be Charged | Fund | Dept. | Major Program, Program & Phase or Unit | Object/ Sub Object | Revenue | Dollars  |
|-----------------------|------|-------|--|--------------------|---------|----------|
| 2012                  | 101  | 38    | 2000                                   | 4901               |         | \$22,533 |
| 2013                  | 101  | 38    | 2000                                   | 4901               |         | \$60,000 |
|                       | 101  | 38    | 2000                                   |                    | 9818    | \$39,600 |

Budget Funding Years  
(must match resolution)

Start Date 01/01/2012

End Date 12/31/2013

Funding Source  
\$82,533  
(must match resolution)

Tax Dollars: \$82,533

State Aid \_\_\_\_\_  
Federal Aid \_\_\_\_\_  
Other \_\_\_\_\_