

34071

To: Honorable Members
Board of Acquisition and Contract

From: Kerry Oristano
Commissioner of Human Resources

Date: May 9, 2013

Re: **RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO ENTER INTO AN AGREEMENT WITH THE WHITE PLAINS CITY SCHOOL DISTRICT FOR THE COUNTY TO USE ITS PREMISES AND FACILITIES IN ORDER TO CONDUCT CIVIL SERVICE EXAMINATIONS DURING THE PERIOD OF JANUARY 1, 2014 TO DECEMBER 31, 2015, IN AN AMOUNT NOT TO EXCEED \$100,000**

The County of Westchester, acting by and through its Department of Human Resources, is requesting authority to enter into an agreement with the White Plains City School District (the "School District") to use the School District's premises and facilities during the calendar years **2014** and **2015** to conduct civil service examinations. Examination dates will be scheduled under the agreement and dates may be changed or added upon notice to the School District subject to its approval and the availability of space. The agreement will be for the period commencing January 1, 2014 and terminating December 31, 2015. The agreement will be for a total amount not to exceed One Hundred Thousand (\$100,000) Dollars, subject to appropriation, payable at the rate of \$15/hour per room, plus \$55/hour per custodian (two custodians required), as set by the Board of Education of the School District.

It should be noted that pursuant to the terms of the agreement, the County will be required to provide the School District with defense and indemnification under its self-insurance fund in an amount equivalent to \$2,000,000.00 combined single limit each occurrence or in aggregate for such exposures normally covered under a standard general liability policy as would be written and available in New York State.

The objective of the agreement is in the County's best interest because the exam process assists in selection of fit employees to serve our constituents. The goals and objectives of the agreement are to conduct examinations to help fill job openings in an equitable fashion. The agreement's progress shall be tracked through direct supervision by the County.

This agreement is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

I believe the School District offers the most suitable and convenient sites for these civil service examinations because of the type and amount of space available, easy access to public transportation and central location within the County. The County has had an agreement with the School District for a number of years and has been satisfied with the arrangements.

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

KO/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/20/2013 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Human Resources, be it hereby

RESOLVED, that the County of Westchester is authorized to enter into an agreement with the White Plains City School District (the "School District") to use the School District's premises and facilities to conduct civil service examinations for a term commencing January 1, 2014 and continuing through December 31, 2015, for an amount not to exceed One Hundred Thousand (\$100,000.00) Dollars payable at the rate of \$15/hour per room, plus \$55/hour per custodian (two custodians required); and be it further

RESOLVED, that the County will provide the School District with defense and indemnification under its self-insurance fund in an amount equivalent to \$2,000,000.00 combined single limit each occurrence or in aggregate for such exposures normally covered under a standard general liability policy as would be written and available in New York State; 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 is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Amount to be
Charged/Credited

Account to be Charged/Credited	Fund	Agency	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
2014	101	12	6010	4909		\$50,000
2015	101	12	6010	4909		\$50,000

Budget Funding Year(s) 2014, 2015 Start Date 1/01/14 End Date 12/31/15
(must match resolution)

Funding Source Tax Dollars \$100,000.00
State Aid _____
\$ 100,000 Federal Aid _____
(must match resolution) Other _____

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