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34367

May 20, 2013

To: The Honorable Board of Acquisition and Contract

From: Reginald A. LaFayette, Democratic Commissioner of the Board of Elections
Douglas A. Colety, Republican Commissioner of the Board of Elections

Re: **Resolution to exempt from the Westchester County Procurement Policy, an Agreement with Affordable Movers, Inc., for the provision of storage services of County-owned lever voting machines, for the period January 1, 2013 to December 31, 2013, in an amount not to exceed \$10,000.00, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures**

Authority is hereby requested from your Honorable Board, to exempt from the Westchester County Procurement Policy, a contract with Affordable Movers, Inc. ("Affordable"), for the provision of storage services of County-owned lever voting machines, for the period January 1, 2013 to December 31, 2013, in an amount not to exceed \$10,000.00, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures.

Ordinarily, under Section 6 of the Procurement Policy, the County is required to solicit three (3) quotations for such services. It is proposed that compliance with the Procurement Policy would not be in the best interests of the County with respect to this procurement because since on or about January 1, 2013 the County's Board of Elections (the "BOE") has inadvertently

continued to store the lever voting machines at Affordable without first soliciting three (3) quotations.

More specifically, on April 18, 2013, your Honorable Board authorized the County, acting by and through the BOE, after the solicitation of three (3) quotations, to enter into an agreement with East Side Movers, Inc. ("ESM") for moving and storage services of these lever voting machines for the period April 1, 2013 to December 31, 2015. However, full payment must be made to Affordable before Affordable will release these voting machines to East Side Movers, Inc. Thus, BOE now seeks to retroactively pay Affordable for the storage of the old lever voting machines from January 1, 2013 until the date that the voting machines are ultimately picked up by ESM.

In order to retroactively pay Affordable for the storage of the old lever voting machines, without having solicited and received three (3) competitive quotes, the Board of Acquisition and Contract must determine, through a resolution, that compliance with the procurement policy would not be in the best interests of the County, pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures.

Based on the above, it is respectfully submitted that an exemption to compliance with the procedures of the Procurement Policy be granted by your Honorable Board in accordance with section 3(a)xxi of said Policy.

RAL/DAC/jpi
Att.

RESOLUTION

Upon a communication from the Commissioners of the Westchester County Board of Elections, be it

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting quotations, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an agreement with Affordable Movers, Inc., 120 Fulton Street, White Plains, New York, 10606, for the provision of storage services of County-owned lever voting machines, for the period January 1, 2013 to December 31, 2013, in an amount not to exceed \$10,000.00, pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures.

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
SONIA VEIRA, SECRETARY