



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

Philippe Gille
First Deputy Commissioner

36705

DATE: October 29, 2013

TO: Honorable Members of the Board of Acquisition and Contract

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

SUBJECT: Authority for the County of Westchester, by and through its Department of Social Services, acting on behalf of the Westchester-Putnam Local Workforce Investment Board, to enter into a no-cost license agreement with Home Builders Institute for the purpose of using an Instructor Guide and Student Workbook for the County's Pre-Apprenticeship Certificate Training ("PACT") program and for a maximum of 30 PACT Certificates for the period July 1, 2013 through June 30, 2014

Authority is requested for the County of Westchester, by and through its Department of Social Services, acting on behalf of the Westchester-Putnam Local Workforce Investment Board (the "County"), to enter into a no-cost license agreement ("Agreement") with Home Builders Institute ("HBI") for the purpose of using an Instructor Guide and Student Workbook for the County's Pre-Apprenticeship Certificate Training ("PACT") program and for a maximum of 30 PACT Certificates produced by HBI in accordance with a YouthBuild grant Agreement No. YB-23476-12-60-A-36 issued by the U.S Department of Labor, Employment and Training Administration for the Mt. Vernon-Peekskill YouthBuild program for the period July 1, 2013 through June 30, 2014.

In consideration of the Agreement, the County will agree to indemnify and hold HBI and its directors, officers, employees and agents harmless from and against any and all liabilities, losses, claims, damages, costs and expenses (including court costs and reasonable attorney's fees) incurred by one or more of such parties and arising from or connected with Licensee's duties and obligations under the Agreement except where such liabilities, losses, claims,

damages, costs or expenses are solely attributable to the negligent act or omission or intentional misconduct of HBI or its directors, officers, employees or agents. The pertinent section in the Agreement is attached hereto as Schedule "A".

The proposed Agreement will serve a **public purpose** by providing the youth of the County with an opportunity to obtain workforce training and placement to improve their quality of life.

The **goals and objectives** of the proposed Agreement are to provide education, occupational skills training and placement in the construction trades.

The **goals and objectives** of the proposed Agreement are in the **best interests** of the County in terms of improving the quality of life and productivity of County youth, thereby improving the overall economy of the County.

The **goals and objectives** of the proposed Agreement will be tracked and monitored by the staff of the Westchester-Putnam Local Workforce Investment Board.

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT 1/21/2013 JOMARY VEIRA, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester, by and through its Department of Social Services, acting on behalf of the Westchester-Putnam Local Workforce Investment Board (“the County”), is hereby authorized to enter into a no-cost license agreement (“Agreement”) with Home Builders Institute (“HBI”) to use the Instructor Guide and Student Workbook for the County’s Pre-Apprenticeship Certificate Training (“PACT”) program and for a maximum of 30 PACT Certificates produced by HBI for the period July 1, 2013 through June 30, 2014; and be it further

RESOLVED, that, in consideration for the Agreement, the County will agree to indemnify and hold HBI and its directors, officers, employees and agents harmless from and against any and all liabilities, losses, claims, damages, costs and expenses (including court costs and reasonable attorney’s fees) incurred by one or more of such parties and arising from or connected to the County’s duties and obligations hereunder except where such liabilities, losses, claims, damages, costs or expenses are solely attributable to the negligent act or omission or intentional misconduct of HBI or its directors, officers, employees or agents; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
N/A	N/A	N/A	N/A	N/A	N/A

Budget Funding Year(s) N/A
(must match resolution)

Start Date: 07/01/13 End Date: 06/30/14

Funding Source

Tax Dollars: N/A

State Aid: N/A

\$N/A

Federal Aid: N/A

(must match resolution)

SCHEDULE "A"

B. By Licensee. Licensee hereby indemnifies and holds HBI and its directors, officers, employees and agents harmless from and against any and all liabilities, losses, claims, damages, costs and expenses (including court costs and reasonable attorney's fees) incurred by one or more of such parties and arising from or connected with Licensee's duties and obligations hereunder except where such liabilities, losses, claims, damages, costs or expenses are solely attributable to the negligent act or omission or intentional misconduct of HBI or its directors, officers, employees or agents.