

46819

May 18, 2015

To: Board of Acquisition and Contract

From: Helen May  
2nd Deputy Commissioner of Human Resources

Re: **Authority to enter into an agreement with Partners in Safety, Inc. for the provision of a comprehensive drug, alcohol and medical testing program safety training and compliance services for a period of five (5) years commencing August 1, 2015, in an amount not to exceed \$1,095,290.00, payable pursuant to an approved budget and subject to appropriations.**

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Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through its Department of Human Resources (the "Department") to enter into an agreement with Partners in Safety, Inc. ("Partners in Safety"), pursuant to which Partners Safety will to provide a comprehensive drug, alcohol and medical testing program safety training and compliance services for a period of five (5) years commencing August 1, 2015 and continuing through July 31, 2020, in an amount not to exceed \$1,095,290.00, payable pursuant to an approved budget and subject to appropriations. Authority is also requested to consent to the utilization of Quest Diagnostics Clinical Labs, Inc., Laboratory Corporation of America, Inc. and MEDTOX Scientific, Inc. as subcontractors.

On or about November 25, 2014, the County issued a Request for Proposals ("RFP") to solicit proposals to provide a comprehensive drug, alcohol and medical testing program safety training and compliance services. In addition, on November 25, 2014, the Department sent the RFP via electronic mail to four (4) potential proposers that submitted proposals in response to the previous RFP issued in 2010 or otherwise expressed interest. Inquiries and questions were received from three (3) potential proposers total, including two (2) additional potential proposers that the RFP was not sent to. One (1) proposal was received in response to the RFP from the County's current vendor, Partners in Safety.

Partners in Safety's proposal was reviewed and investigated. Its pricing is highly competitive and it has experience with the Department's specific service requirements,

being the Department's current vendor. Furthermore, the Department has been pleased overall with the quality of its performance under the current contract.

It should be noted that the administrative expenses and tests costs incurred are billed to participating County departments and agencies and are reflected as revenue for the Department. An estimated \$712,500.00 over the life of the agreement will be reimbursed by TLC drivers who will pay for the full costs of their drug tests.

Pursuant to the proposed agreement, Partners in Safety shall provide a comprehensive drug, alcohol and medical testing program safety training and compliance services. This contract serves a public purpose as it protects the health, safety and welfare of County employees and residents as well as limiting the County's potential exposure to litigation. The Department has been satisfied with the services provided by Partners in Safety. The goals and objectives of the proposed agreement will be tracked and monitored by the Department.

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

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION  
SOMERSET COUNTY SECRETARY

## RESOLUTION

Upon a communication from the 2<sup>nd</sup> Deputy Commissioner of Human Resources, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is authorized to enter into to enter into an agreement with Partners in Safety, Inc. for the provision of a comprehensive drug, alcohol and medical testing program for a period of five (5) years commencing August 1, 2015 through July 31, 2020, in an amount not to exceed \$1,095,290.00, payable pursuant to an approved budget; and be it further

**RESOLVED**, that the County approves the use of the following subcontractors: Quest Diagnostics Clinical Labs, Inc., Laboratory Corporation of America, Inc. and MEDTOX Scientific, Inc.; 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 Consultant, then the Consultant 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 hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2015	101	12	6010	4380		<b>\$ 91,274</b>
2016	101	12	6010	4380		<b>\$219,058</b>
2017	101	12	6010	4380		<b>\$219,058</b>
2018	101	12	6010	4380		<b>\$219,058</b>
2019	101	12	6010	4380		<b>\$219,058</b>
2020	101	12	6010	4380		<b>\$127,784</b>

Budget Funding Year(s): 2015-2020 Start Date: August 1, 2015 End Date: July 31, 2020  
(must match resolution)

Funding Source: Tax Dollars \$382,790  
State Aid \_\_\_\_\_  
\$1,095,290.00 Federal Aid \_\_\_\_\_  
Other 712,500 reimbursed by TLC applicants

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/11/2015 - JOMARY WERA, SECRETARY