

52408

July 19, 2016

TO: The Honorable Board of Acquisition and Contract

FROM: George N. Longworth
Commissioner – Sheriff of Public Safety

RE: Authorization for the County of Westchester to enter into an intermunicipal agreement (“IMA”) with the City of White Plains whereby the County will lease to the City a 2002 equipment response vehicle for use by the City’s Department of Public Safety when responding to calls within New York State Counter Terrorism Zone Three and also for responses to incidents in the City for a five (5) year term commencing upon execution.

On July 18, 2016, the Westchester County Board of Legislators authorized the County of Westchester (the “County”) to enter into an IMA with the City of White Plains (the “City”) whereby the County will lease to the City a 2002 equipment response vehicle as identified in Schedule “A”, attached hereto (the “2002 ERV”), for use by the City’s Department of Public Safety when responding to calls within New York State Counter Terrorism Zone Three (“CTZ-3”) and also for responses to incidents in the City. Under section 161.11(1) of the Laws of Westchester County, the authority of your Honorable Board is also required.

As your Honorable Board may know, the County, through its Department of Public Safety (the “Department”), recently acquired a new 2015 Equipment Response Vehicle for Hazardous Devices. As such, the County no longer requires the use of the 2002 ERV. I have been advised that the 2002 ERV is still operational and would benefit the City’s Department of Public Safety for use in connection with calls in CTZ-3 as well as in response to incidents in the City. Therefore, it is recommended that the 2002 ERV be leased to the City for use by the City’s Department of Public Safety. This lease will allow for the strategic placement and operation of the 2002 ERV and will benefit the citizens of both the County and the City.

Under the proposed IMA, the County will lease the 2002 ERV in “AS IS” condition. In consideration for the use of the 2002 ERV, the City will pay the County the sum of One (\$1.00) Dollar and as additional consideration, will man, operate, repair and maintain the 2002 ERV to respond to calls within CTZ-3 and for responses to incidents in the City. The IMA will be for a five (5) year term commencing upon execution. At the expiration of the IMA, the 2002 ERV will be transferred back to the County or authorization for an agreement to continue with the arrangement will be pursued.

This Agreement is exempt from application of the Westchester County Procurement Policy pursuant to Section 3(a)iii thereof, which exempts “transactions or contracts with . . . any state, and any political subdivision, agency or instrumentality thereof.”

The Agreement will serve a public purpose by enhancing the overall safety and security of both County and City residents.

For the reasons set forth above, I most respectfully recommend approval of the attached resolution.

GNL/MJM/jpg

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/25/2016 - LIS/MRIJAS SECRETARY

RESOLUTION

Upon a communication from the Commissioner - Sheriff of Public Safety, it is hereby:

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Public Safety (the "Department"), is hereby authorized to enter into an Intermunicipal Agreement ("IMA") with the City of White Plains (the "City") whereby the County will lease to the City a 2002 equipment response vehicle, as identified in Schedule "A", attached hereto (the "2002 ERV"), for use by the City's Department of Public Safety when responding to calls within New York State Counter Terrorism Zone Three ("CTZ-3") and also for responses to incidents in the City of White Plains for a term of five (5) years commencing upon execution of the IMA; and be it further

RESOLVED, that in consideration for the lease of the 2002 ERV, the City will pay the County the sum of One (\$1.00) Dollar and as additional consideration, will man, operate, repair and maintain the 2002 ERV to respond to calls within CTZ-3 and for responses to incidents in the City of White Plains; and be it further

RESOLVED, that the County Executive or his authorized designee is authorized to execute all documents necessary to effectuate the purposes of this resolution.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Revenue	Dollars
101	38	2000	9149	\$1.00

Budget Funding Year(s) 2016-2021 Start Date Upon Execution End Date 5-years from execution of IMA
(must match resolution)

Funding Source Tax Dollars _____
State Aid _____
\$1.00 Federal Aid _____
(must match resolution) Other \$1.00 Revenue _____

SCHEDULE "A"

DESCRIPTION OF VEHICLE TO BE LEASED

MAKE: SAULSBURY

MODEL: CYCLONE II 99

YEAR: 2002

VIN # 4EN3BCA8821005702

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/25/2016 - LISA MRIJAJ, SECRETARY