

58730

August 25, 2017

**TO:** The Honorable Board of Acquisition and Contract

**FROM:** Robert P. Astorino  
County Executive

**RE:** **Authority to amend an agreement with Thompson & Bender, LLC pursuant to which Thompson & Bender, LLC agreed to assist the County in developing the “One Community Campaign” for an amount not to exceed \$100,000.00, by increasing the not-to-exceed amount authorized thereunder by an additional \$190,000.00 in order to have sufficient funds available to compensate the firm for additional services rendered.**

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By resolution approved on May 26, 2016, your Honorable Board authorized the County of Westchester (the “County”) to enter into an agreement (the “Agreement”) with Thompson & Bender, LLC (“Thompson & Bender”), pursuant to which Thompson & Bender would assist the County in developing the “One Community Campaign” in accordance with the Settlement Agreement between the United States and the County and the Court Order of Judge Denise Cote dated May 23, 2016 (the “Court Order”), in an amount not to exceed One Hundred Thousand (\$100,000.00) Dollars, payable pursuant to approved rates, for a term commencing upon full execution of the Agreement and terminating upon thirty (30) days written notice by the County. The Agreement was subsequently executed.

As your Honorable Board is aware, the Court Order required, among other things, that the County retain a public relations consultant to assist the County in developing the “One Community Campaign” for the purpose of broadening support for fair housing and promoting the fair and equitable distribution of affordable housing in all communities, including public outreach specifically addressing the benefits of mixed-income housing and racially and ethnically integrated communities.

In order to maintain compliance under the Court Order, it has now become necessary for Thompson & Bender to perform additional services under the Agreement, including, but not limited to, purchasing additional TV, radio and print advertising space. In order to have sufficient funds available to compensate the firm for providing these additional services, it is now necessary to increase the not-to-exceed amount under the Agreement by an additional One

Hundred Ninety Thousand (\$190,000.00) Dollars. Accordingly, authority is respectfully requested to amend the Agreement with Thompson & Bender for assistance in developing the “One Community Campaign”, by increasing the total not-to-exceed amount authorized thereunder by an additional One Hundred Ninety Thousand (\$190,000.00) Dollars, from an amount not-to-exceed One Hundred Thousand (\$100,000.00) Dollars, to a new total aggregate amount not-to-exceed Two Hundred Ninety Thousand (\$290,000.00) Dollars.

Except as otherwise specifically amended hereby, all other terms and conditions set forth in the Agreement shall remain in full force and effect.

The Agreement will continue to serve a public purpose by promoting and marketing the positive impacts of affordable housing, mixed-income housing and population diversity throughout the County as well as ensuring that the County complies with the Court Order. The goals and objectives of the Agreement are to develop the “One Community Campaign” which will be in the best interests of the County since it will ensure the County’s compliance with the Court Order. The goals and objectives will be tracked and monitored by County personnel.

Authority to exempt the Agreement from the requirements of the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, was previously granted by your Honorable Board by resolution approved on May 26, 2016.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

RPA/jpg

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION - LISA MARIJA SEBETKA

**RESOLUTION**

Upon a communication from the County Executive, it is hereby:

**RESOLVED**, that the County of Westchester (the “County”) is hereby authorized to amend an agreement with Thompson & Bender, LLC (“Thompson & Bender”), pursuant to which Thompson & Bender agreed to assist the County in developing the “One Community Campaign” in accordance with the Settlement Agreement between the United States and the County and the Court Order of Judge Denise Cote dated May 23, 2016 (the “Court Order”), for an amount not to exceed One Hundred Thousand (\$100,000.00) Dollars, payable in accordance with approved rates, for a term commencing upon full execution of the Agreement and terminating upon thirty (30) days written notice by the County (the “Agreement”), by increasing the total not-to-exceed amount authorized thereunder by an additional One Hundred Ninety Thousand (\$190,000.00) Dollars, from an amount not-to-exceed One Hundred Thousand (\$100,000.00) Dollars, to a new total aggregate amount not-to-exceed Two Hundred Ninety Thousand (\$290,000.00) Dollars, in order to have sufficient funds available to compensate Thompson & Bender for additional services to be rendered as required under the Court Order, including but not limited to, purchasing additional TV, radio and print advertising space; and be it further

**RESOLVED**, that except as specifically amended hereby, all other terms and conditions set forth in the Agreement shall remain in full force and effect; and be it further

**RESOLVED**, that the County Executive or his 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
263	11	035J	4250	T035	\$190,000.00

Budget Funding Year(s) 2017 Start Date 6/3/16 End Date 12/31/17  
(must match resolution)

Funding Source  
  
\$190,000.00  
(must match resolution)

Tax Dollars \$190,000.00  
State Aid \_\_\_\_\_  
Federal Aid \_\_\_\_\_  
Other \_\_\_\_\_