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**63006**

**TO:** Board of Acquisition and Contract

**FROM:** Reginald Lafayette  
Commissioner of Board of Elections

Douglas A. Colety  
Commissioner of Board of Elections

**DATE:** May 2, 2018

**SUBJECT:** Resolution authorizing the County of Westchester to amend an agreement with East Side Movers, Inc. for the provision of moving and storage of lever voting machines for the term January 1, 2016 through December 31, 2018 (the "Agreement") in order to increase the amount of the Agreement by \$16,000 for a new not to exceed amount of \$46,000, as a result of an increase in the number of lever voting machines being stored by one hundred thirty-five (135).

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Transmitted herewith is a resolution requesting authority for the County of Westchester (the "County"), acting through and by its Board of Elections (the "BOE"), to amend an agreement dated December 22, 2015 with East Side Movers, Inc. for the provision of moving and storage of lever voting machines in the amount of \$30,000 for the term January 1, 2016 through December 31, 2018 (the "Agreement"), in order to increase the amount of the Agreement by \$16,000 as a result of the increase in the number of lever voting machines being stored from one hundred fifteen (115) to two hundred fifty (250).

Pursuant to New York State Election Law, the County is required to retain control of the old lever voting machines and the County does not have the necessary space to house these voting machines in County owned facilities. Additional lever voting machines have been added because the Village of Scarsdale and the Town of Eastchester turned over lever machines that they had been storing. The proposed amendment will result in a cost savings for the County as the rate for moving and storage pursuant to the proposed amendment is less than it had been with the municipalities.

All other terms and conditions of the Agreement will remain in full force and effect.

The proposed amendment is in the public's best interest since it will authorize the County to store additional lever voting machines in accordance with New York State Election Law, thus avoiding possible fines and penalties and because it will result in a cost savings.

Accordingly, your Honorable Board's favorable action on the annexed Resolution is most respectfully recommended.

RJL/DAC/DI  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/24/2018 - LISA MRIJAJ, SECRETARY

# RESOLUTION

Upon communication from the Commissioners of the Board of Elections, be it hereby:

**RESOLVED**, that County of Westchester is hereby authorized to amend an agreement with East Side Movers, Inc. for the provision of moving and storage of lever voting machines for the term January 1, 2016 through December 31, 2018 in the amount of \$30,000 (the "Agreement"), in order to increase the amount of the Agreement by \$16,000 effective as of January 1, 2018, for a new total amount not to exceed \$46,000; and be it further

**RESOLVED**, that all other terms and conditions of the Agreement shall remain in full force and effect; 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 Contractor, then the Contractor 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 and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Original Agreement: \$30,000  
 This Amendment: 16,000  
 TOTAL: \$46,000

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	14	1000	4070		\$16,000.00

Budget Funding Year(s) **2018** Start Date **01/01/2018** End Date **12/31/2018**  
 (must match resolution)

Funding Source	Tax Dollars	<u>\$16,000.00</u>
	State Aid	_____
	Federal Aid	_____
<b>\$16,000.00</b> (must match resolution)	Other	_____