

64539

Date: August 2, 2018

To: Honorable Board of Acquisition and Contract

From: Lawrence Soule  
Budget Director

Re: Authority to amend a resolution approved on April 5, 2018 which exempted from the Westchester County Procurement Policy an Agreement with The Rockefeller Institute of Government pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, by reflecting the correct legal name of the contracting party as being The Research Foundation for the State University of New York on behalf of SUNY's Rockefeller Institute of Government.

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By resolution approved on April 5, 2018 (the "April 5<sup>th</sup> Exemption Resolution"), your Honorable Board authorized the County to exempt from the Westchester County Procurement Policy an agreement with The Rockefeller Institute of Government (the "Rockefeller Institute"), pursuant to which the Rockefeller Institute, in partnership with The Benjamin Center at SUNY New Paltz (the "Benjamin Center"), would assist the County with the development of a county-wide shared services plan as required by the 2017 New York State Budget (the "Agreement"). The Agreement has not yet been executed.

On August 1, 2018, the County Executive's Office was notified by The Research Foundation for the State University of New York ("SUNY") that the Rockefeller Institute is not an independent legal entity capable of entering into contracts and as such cannot be a party to the Agreement. Rather, SUNY, as the Rockefeller Institute's fiscal agent, must be named in the Agreement as the contracting party.

Accordingly, authority is respectfully requested to amend the April 5<sup>th</sup> Exemption Resolution for the limited purpose of reflecting the correct legal name of the contracting party as being The Research Foundation for the State University of New York on behalf of SUNY's Rockefeller Institute of Government, instead of The Rockefeller Institute of Government.

Except as specifically amended hereby, all remaining terms and conditions contained in the April 5<sup>th</sup> Exemption Resolution shall remain in full force and effect.

An appropriate resolution to accomplish the name change is herewith attached.

LS/jpg  
Attachment

## RESOLUTION

Upon a communication from the Budget Director, be it hereby

**RESOLVED**, that the resolution approved on April 5, 2018 (the “April 5<sup>th</sup> Exemption Resolution”), in which the County Board of Acquisition & Contract determined pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, that application of the procedural requirements contained therein, including the necessity of soliciting proposals, was neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an agreement with The Rockefeller Institute of Government, is hereby amended to reflect the correct legal name of the contracting party as being The Research Foundation for the State University of New York on behalf of SUNY’s Rockefeller Institute of Government; and be it further

**RESOLVED**, that except as specifically amended hereby, all remaining terms and condition contained in the April 5<sup>th</sup> Exemption Resolution shall remain in full force and effect upon the parties.

APPROVED BOARD OF ACQUISITION & CONTRACT 08/09/2018 LISA M. JUAN SECRETARY