

# 65544

October 17, 2018

To: The Honorable Board of Acquisition and Contract

From: Kunjlata Ashar, M.D.  
Medical Examiner/ Pathologist  
Department of Labs & Research

Re: **Resolution authorizing the County of Westchester to enter into an agreement with Human Edge, Inc., for the provision of temporary lab personnel on an as-needed basis, payable in accordance with an agreed upon fee schedule, at a total cost to the County not-to-exceed \$213,000.00, for a one (1) year period commencing on January 1, 2019 and terminating on December 31, 2019.**

The County of Westchester, ( the “County”) acting by and through its Department of Laboratories and Research (the “Department”), seeks authority from your Honorable Board to enter into an agreement with Human Edge, Inc. (“Human Edge”) for the provision of temporary lab personnel on an as-needed basis, payable in accordance with an agreed upon fee schedule, at a total cost to the County not-to-exceed \$213,000.00, for a one (1) year period commencing on January 1, 2019 and terminating on December 31, 2019 ( the “Agreement”). The County, at its sole option, may renew the Agreement on the same terms and conditions, including hourly rates, as provided for during the initial term, for up to four (4) additional one (1) year periods, subject to the further approval of this Honorable Board.

The goal and objective of the Agreement is to provide the residents of Westchester County with the most qualified temporary lab personnel to conduct forensic evidence analysis, public health sample analysis, environmental, microbiological and toxicological analysis, confidential, hazardous investigative laboratory testing for police agencies, medical facilities, governmental institutions and private clients. The value and importance are in the best interest of the County in terms of ensuring continued public health and safety.

The goals and objectives will be tracked and monitored by each division which maintains attendance records and the proficiency of the temporary personnel. These personnel are paid on an hourly basis for which the County is billed weekly. Division heads approve weekly timesheets which are forwarded to the vendor and returned with the weekly billing.

The procurement is exempt under section 3(a)viii of the Westchester County Procurement Policy, which exempts, among other things, contracts for the services of laboratory technicians. However, because the Agreement will be funded primarily with federal funds, the procurement is subject to the Federal Common Grant Rule (45 C.F.R. section 92) which requires competitive procurement. The Department issued a Request for Proposals (“RFP”) on August 22, 2018 by posting on the County website as well as emailing the RFP to the following agencies: Apex and Human Edge. Timely proposals were received by the Department from Human Edge, Diskriter, Apex Life Sciences, LLC (“Apex”) and Sunbelt Staffing. The proposals were evaluated by the Department in accordance with the criteria set forth in the RFP. Although Diskriter submitted the lowest price proposal, the Department was unable to contact any of the three (3) references provided in its proposal, despite repeated attempts to do so. Human Edge was chosen as the first choice due to their extensive experience in the fields required by the Department and because they submitted the second lowest price proposal.

Accordingly, I recommend that your Honorable Board approve the attached resolution authorizing the County to enter into the Agreement with Human Edge.

KA/PS/jpg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION  
WESTCHESTER COUNTY  
SECRETARY

**RESOLUTION**

Upon a communication from the Medical Examiner/Pathologist, be it hereby:

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to enter into an agreement (the "Agreement") with Human Edge, Inc., for the provision of temporary lab personnel on an as-needed basis, payable in accordance with an agreed upon fee schedule, at a total annual cost to the County not-to-exceed Two Hundred Thirteen Thousand (\$213,000.00) Dollars, commencing on January 1, 2019 and terminating on December 31, 2019; and be it further

**RESOLVED**, that the County, at its sole option, may renew the Agreement for up to four (4) additional one (1) year periods, on the same terms and conditions, including hourly rates, as provided for during the initial term, subject to the further approval of the County Board of Acquisition & Contract; 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 budget of the State of New York and /or the adoption of a State Budget or any amendments thereto, and after the County has a reasonable period of time to conduct an analysis of the impacts of any such budget(s) on County finances, to terminate the agreement authorized herein 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 duly authorized designee, is hereby authorized to execute such documents and take such actions as may be necessary and appropriate to effectuate the purposes hereof.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
263	31	T860-860T		T860	\$57,000.00
263	31	T860-860U		T860	\$126,000.00
101	31	0010-4000	4380		\$30,000.00

Budget Funding Year(s):  
(must match resolution)

Start Date

End Date

Funding Source

Tax Dollars 30,000.00

State Aid \_\_\_\_\_

\$ 213,000.00

Federal Aid 183,000.00

(must match resolution)

Other \_\_\_\_\_