

**65937**

**TO:** Honorable Members of the Board of Acquisition and Contract

**FROM:** Mary Jennings Mahon  
Commissioner of Human Resources

**DATE:** November 5, 2018

**SUBJECT:** Resolution authorizing the County of Westchester (the "County") to enter into an agreement with the Scarsdale Union Free School District (the "District") pursuant to which the District will grant the County a permit to use up to 25 classrooms at Scarsdale High School on April 6, 2019 and May 11, 2019 to administer civil service exams for a total fee of \$16,700.

---

The County of Westchester, acting by and through its Department of Human Resources (the "Department"), is requesting authority to enter into an agreement with the District pursuant to which the District will grant to the County a permit to use up to 25 classrooms at Scarsdale High School on both April 6, 2019 and May 11, 2019 to administer civil service exams (the "Agreement"). In consideration for the grant of permit, the County shall pay the District a fee of \$16,700.

Pursuant to the terms of the Agreement, the County will also agree to "defend, indemnify and hold harmless the District from and against any and all liability, loss, damages, claims or actions (including costs and attorney's fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in any way connected with the actual or proposed use of the District's property, facilities and/or services, including but not limited to bodily injury to any employee, invitee, guest, contractor or subcontractor of the above named organization. He/she on behalf of the above named organization understands and agrees that its use of the District's property and facilities includes, but is not limited to, all areas identified in the application and/or permit and sidewalks, walkways, parking lots, entrances, stairs and all other areas incidental to and/or connected with the use of the premises (hereinafter referred to as 'incidental areas'). He/she on behalf of the above-named organization agrees that its indemnity and insurance obligations extend to the areas identified in the application and/or permit and any incidental areas."

The Agreement is in the County's best interest because the exam process assists in selection of fit employees to serve our constituents. The goals and objectives of the agreement are to

conduct examinations to help fill job openings in an equitable fashion. The Agreement's progress shall be tracked through direct supervision by the Department.

This Agreement is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

MJM/KMV/jpg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/29/2018 - JUAN COCCARDI, SECRETARY

# RESOLUTION

Upon a communication from the Commissioner of Human Resources, be it hereby

**RESOLVED**, that the County of Westchester ("County"), acting by and through its Department of Human Resources (the "Department"), is hereby authorized to enter into an agreement with the Scarsdale Union Free School District (the "District") pursuant to which the District will grant the County a permit to use up to 25 classrooms at Scarsdale High School on both April 6, 2019 and May 11, 2019 to administer civil service exams for a total fee of \$16,700 (the "Agreement"); and be it further

**RESOLVED**, that pursuant to the terms of the Agreement, the County will also agree to "defend, indemnify and hold harmless the District from and against any and all liability, loss, damages, claims or actions (including costs and attorney's fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in any way connected with the actual or proposed use of the District's property, facilities and/or services, including but not limited to bodily injury to any employee, invitee, guest, contractor or subcontractor of the above named organization. He/she on behalf of the above named organization understands and agrees that its use of the District's property and facilities includes, but is not limited to, all areas identified in the application and/or permit and sidewalks, walkways, parking lots, entrances, stairs and all other areas incidental to and/or connected with the use of the premises (hereinafter referred to as 'incidental areas'). He/she on behalf of the above-named organization agrees that its indemnity and insurance obligations extend to the areas identified in the application and/or permit and any incidental areas"; and be it further

**RESOLVED**, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	101	12	6010	4909			16,700.00

Budget Funding Year(s) 2019 Start Date 04/06/2019 End Date 05/11/2019  
 (must match resolution)

Funding Source Tax Dollars 16,700  
 State Aid \_\_\_\_\_  
16,700 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_