

**68202**

DATE: March 5, 2019

TO: Board of Acquisition and Contract

FROM: Joseph K. Spano  
Commissioner of Correction

RE: Authority to enter into an Agreement with the United States Marshals Service, U.S. Department of Justice, for the Westchester County Department of Correction to provide housing, safekeeping and subsistence to Federal detainees at the Westchester County Jail for a term commencing upon execution thereof by both parties and continuing indefinitely unless inactivated in writing by either party, at a rate payable to the County of \$215.00 per person per day, which rate shall be in effect for 36 months, subject to renegotiation after that time.

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Attached for your consideration is a Resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement with the U.S Marshals Service, U.S. Department of Justice (the "USMS"), pursuant to which the County, through its Department of Correction ("WCDOC"), will provide housing, safekeeping, and subsistence of Federal detainees at the Westchester County Jail (the "Jail") for a term commencing upon execution thereof by both parties and continuing indefinitely unless inactivated in writing by either party (the "Agreement"). In consideration for services to be rendered, the USMS will pay the County at the daily rate of \$215.00 per person, which daily rate will be in effect for a period of thirty-six (36) months and thereafter subject to renegotiation.

Pursuant to the terms of the Agreement, the County, through WCDOC, will provide Federal prisoners with housing, food and medical services, including the transportation and security of prisoners to and from the Jail for medical appointments. If a Federal detainee is hospitalized, the local USMS office will be contacted to take over the security detail at the hospital. WCDOC will also be responsible for transporting Federal detainees who are in WCDOC custody to and from the Federal Courthouse in White Plains for court appearances, noting that WCDOC staff will not assume any courthouse responsibilities and are limited to dropping Federal detainees off in the morning and picking them up at 5pm.

It should be noted that all costs associated with hospital or health care services provided outside the Jail and physician costs and specialty services above basic medical, will be paid for directly by USMS.

This is not a procurement within the meaning of the Westchester County Procurement Policy. This Agreement will serve a public purpose by providing revenue to the County. Accordingly, authority is respectfully sought for the County to enter into this Agreement.

JKS/WF/JPG/ml

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/14/2019 - LISA MRIJAJ, SECRETARY

## RESOLUTION

Upon communication from the Commissioner of Correction, it is hereby

**RESOLVED**, that the County of Westchester (“County”) is authorized to enter into an agreement with the United States Marshals Service, United States Department of Justice (“USMS”), for the Westchester County Department of Correction (WCDOC”) to provide housing, safekeeping, and subsistence to Federal detainees at the Westchester County Jail (the “Jail”), including medical services and the transportation and security of prisoners to and from the Jail for medical appointments and appearances at the Federal Courthouse in White Plains, for a term commencing upon execution thereof by both parties and continuing indefinitely unless inactivated in writing by either party; and be it further

**RESOLVED**, that in consideration for services to be rendered, USMS shall pay the County at the daily rate of Two Hundred and Fifteen (\$215.00) Dollars per person, which rate shall be in effect for a period of thirty-six (36) months and thereafter subject to renegotiation; and be it further

**RESOLVED**, that all costs associated with hospital or health care services provided outside the Jail and physician costs and specialty services above basic medical, will be paid for directly by USMS; and be it further

**RESOLVED**, that the County Executive or his duly 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	35	1000	9076			N/A

Budget Funding Year(s) 2019-2022 Start Date: 3/1/2019 End Date: Evergreen  
(must match resolution)

Funding Source Tax Dollars \_\_\_\_\_

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

Federal Aid \_\_\_\_\_

(must match resolution) Other N/A