



Westchester
Community College

State University of New York

68406

TO: Board of Acquisition and Contract

FROM: Belinda Miles
President, Westchester Community College

DATE: March 12, 2019

RE: **Authority to enter an agreement with the State of New York, acting by and through the New York State Education Department (the "State"), pursuant to which the State will pay Westchester Community College to host the High School Equivalency Test for the period of January 1, 2019 through December 31, 2022 with an option to renew for an additional one-year term.**

The County of Westchester, acting by and through Westchester Community College (the "College"), requests authority to enter into an agreement with the State of New York, acting by and through the New York State Education Department (the "State"), pursuant to which the State will pay Westchester Community College to host and administer the High School Equivalency Test for the period of January 1, 2019 through December 31, 2022 with an option to renew for an additional one-year term. Pursuant to the proposed agreement, the State will pay the College an amount not to exceed \$69,912.00 payable pursuant to an approved budget.

In accordance with the terms of the agreement, the College shall agree to be solely responsible and answerable in damages for any and all accidents or injuries to persons (including death) or property arising out of or related to the services to be rendered by the College or its subcontractors pursuant to the agreement. In addition, the College shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the agreement.

The goals and objectives of this Agreement are to provide opportunities for those seeking to acquire a high school equivalency diploma.

This agreement is exempt from the operation of the Procurement Policy pursuant to 3(a) iii in that it is an agreement with an instrumentality of New York State.

75 Grasslands Road, Valhalla, NY 10595 – www.sunywcc.edu

Westchester Community College is sponsored locally by the County of Westchester, affiliated with the State University of New York

An appropriate resolution is herewith attached for your consideration.

BSM/jpi
Att.

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/04/2019 - LISA MRIJAJ, SECRETARY

RESOLUTION

Upon a communication from the President of Westchester Community College, be it hereby

RESOLVED, that the County of Westchester, acting by and through Westchester Community College (the “College”), is hereby authorized to enter into an agreement with the State of New York, acting by and through the New York State Education Department (the “State”), pursuant to which the State will pay the College to host and administer the High School Equivalency Test for the period January 1, 2019 through December 31, 2022, with an option to renew for an additional one-year term. Pursuant to the proposed agreement, the State will pay the College an amount not to exceed \$69,912.00, payable pursuant to an approved budget; and be it further

RESOLVED, that in accordance with the terms of the agreement, the College shall agree to be solely responsible and answerable in damages for any and all accidents or injuries to persons (including death) or property arising out of or related to the services to be rendered by the College or its subcontractors pursuant to the agreement. In addition, the College shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the agreement.

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions necessary and appropriate to effectuate the purposes of this Resolution.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	703	9997		9781	T429	\$69,912

Budget Funding Year(s) 2018/19-2021-22 Start Date 1/1/19 End Date 12/31/22
 (must match resolution)

Funding Source	Tax Dollars _____
	State Aid _____
<u>\$69,912</u>	Federal Aid _____
(must match resolution)	Other <u>Revenue</u> _____