

69379

DATE: April 23, 2019

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Dr. DaMia Harris-Madden, Executive Director
Westchester County Youth Bureau

SUBJECT: Request for authority for the County of Westchester acting by and through its Youth Bureau, to enter into an agreement with Children's Hospital Los Angeles ("CHLA") pursuant to which CHLA will provide a license to use the curriculum, and intervention materials for its Adult Identity Mentoring Program for the period April 15, 2019 through April 14, 2020 in an amount not to exceed \$12,044.

Authority is hereby requested for the County of Westchester (the "County") acting by and through its Youth Bureau ("Youth Bureau") to enter into an agreement with Children's Hospital Los Angeles ("CHLA") pursuant to which CHLA will provide to the County a license to use the curriculum, and intervention materials for its Adult Identity Mentoring Program ("Project AIM") for the period April 15, 2019 through April 14, 2020 in an amount not to exceed \$12,044 (\$2,000 for the license to use the curriculum and up to \$10,044 for the intervention materials), with the County having the option, in its sole discretion, to renew the Agreement for additional one year periods, subject to all necessary legal approvals, and on the same terms and conditions.

Pursuant to Act No. 2019-45 adopted by the Westchester County Board of Legislators on March 25, 2019, the County was authorized to enter into a grant agreement with the United States Department of Health and Human Services to participate in the Sexual Risk Avoidance Education Program grant which will be used to fund the cost of the proposed Agreement.

A separate resolution is being submitted on even date herewith for your Honorable Board's consideration, authorizing the County to accept the aforesaid grant funds which will be used to fund this Agreement.

The Agreement contains a provision requiring the County to indemnify and hold harmless CHLA, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees, or loss arising out of the Agreement and to provide defense for and defend, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto.

This Agreement is exempt from the procedures of the Procurement Policy pursuant to Section 3(a)xviii thereof.

An appropriate Resolution is herewith attached for your Honorable Board's consideration.

RESOLUTION

Upon a communication from the Executive Director of the Westchester County Youth Bureau be it hereby

RESOLVED, that the County of Westchester (“County”), acting by and through its Youth Bureau (“Youth Bureau”) is hereby authorized to enter into an agreement with Children’s Hospital Los Angeles (“CHLA”) pursuant to which CHLA will provide the County a license for the curriculum, and the intervention materials for CHLA’s Adult Identity Mentoring Program (“Project AIM”) in an amount not to exceed \$12,044 for the period April 15, 2019 through April 14, 2020 (the “Agreement”), with the County having the option, in its sole discretion, to renew the Agreement for additional one year periods, subject to all necessary legal approvals, and on the same terms and conditions; and be it further

RESOLVED, that the Agreement contains a provision requiring the County to indemnify and hold CHLA harmless its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney’s fees, or loss arising out of the Agreement and to provide defense for and defend, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto; 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 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 State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption (s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then that Contractor shall have the right to terminate their Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee be, and hereby is, authorized to take such actions and execute such documents 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	11		4380	T02U	\$12,044

Budget Funding Year(s): 19/20 Start Date: April 15, 2019 End Date: April 14, 2020
(must match resolution)

Funding Source	Tax Dollars: _____
<u>\$12,044</u>	State Aid: _____
(must match resolution)	Federal Aid: <u>\$12,044</u>
	Other: _____