



Date: January 26, 2010

To: Honorable Members of the Board of Acquisition & Contract

From: Hon. Kenneth W. Jenkins
Chair, Westchester County Board of Legislators

Re: **Authority to amend a resolution authorizing Westchester County to enter into an agreement with The Scarsdale Teen Center, Inc. ("STC") pursuant to which STC will provide recreational programs for teenagers in the Scarsdale and Edgemont areas by altering the dates and payment terms of the approved resolution.**

On December 30, 2009, your Honorable Board authorized Westchester County, acting by and through its Board of Legislators, to enter into an agreement with The Scarsdale Teen Center, Inc. ("STC") pursuant to which STC will provide recreational programs for teenagers in the Scarsdale and Edgemont areas for the period from January 1, 2010 through December 31, 2010.

Authority of your Honorable Board is now requested to change the term and payment terms of the agreement to a term beginning on November 1, 2009 and terminating May 30, 2010. The agreement has not been executed.

In consideration for services to be rendered, the County will pay STC an amount not to exceed THIRTY FIVE THOUSAND SIX HUNDRED TWENTY FIVE (\$35,625.00) DOLLARS. The resolution approved December 30, 2009 authorized quarterly payment. Authority from your Honorable Board is hereby requested to change the payment terms to one lump sum upon execution of the agreement.

This Agreement is exempt from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Sections 3 (a)xviii thereof.

The goals and objectives of this Agreement are to contribute to the healthy development of Scarsdale and Edgemont teens by providing a substance-free environment where teens can interact with their peers and engage in safe recreational, social and educational programs and activities. The staff of the Board of Legislators will monitor and measure STC's performance of the Agreement.

As I believe this Agreement to be in the best interests of the County, I most respectfully recommend and urge the adoption of the annexed Resolution.

KWJ/mlg

RESOLUTION

Upon a communication from the Chairman of the Board of Legislators, be it hereby:

RESOLVED, that the County of Westchester is hereby authorized to amend the December 30, 2009 resolution authorizing Westchester County to enter an agreement with The Scarsdale Teen Center, Inc. ("STC") pursuant to which STC will provide recreational programs for teenagers in the Scarsdale and Edgemont areas by amending the term to a new term of November 1, 2009 through May 31, 2010 (the "Agreement"); and be it further

RESOLVED, that the County is authorized to amend the December 30, 2009 resolution by changing the payment terms to payment in one lump sum upon execution in the not to exceed THIRTY FIVE THOUSAND SIX HUNDRED TWENTY FIVE (\$35,625.00) DOLLARS.

RESOLVED, that all other terms and conditions of the December 30, 2009 resolution remain the same.

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 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 the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the Chairman of the County Board of Legislators or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program Phase Or Unit	& Object/ Sub-Object	Trust Account	Dollars
101	52	2502	5100		\$35,625.00

Budget Funding Year(s) 2009 Start Date 11/1/2009 End Date 5/31/2010
(must match resolution)

Funding Source Tax Dollars \$ 35,625.00
 State Aid _____
\$35,625.00 Federal Aid _____
 (must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-15-2010 - JOMARY WEAVER, SECRETARY