

George Latimer  
County Executive

Department of Human Resources

**#72987**

DATE: November 26, 2019

TO: Board of Acquisition and Contract

FROM: Mary Jennings Mahon  
Commissioner of Human Resources

RE: **Resolution authorizing the County of Westchester to enter into a permit agreement with the City School District of New Rochelle for the use of New Rochelle High School to conduct a Civil Service Examination on February 1, 2020, in an amount not to exceed \$4,270, payable pursuant to an approved rate schedule.**

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Transmitted herewith is a resolution which, if approved by your Honorable Board will authorize the County of Westchester (the "County") to enter into a permit agreement with the City School District of New Rochelle for the use of New Rochelle High School to conduct the Correction Officer Civil Service Examination on February 1, 2020 at a cost not to exceed \$4,270, payable pursuant to an approved rate schedule (the "Agreement").

The Agreement will include an indemnity provision which will provide as follows:

"Westchester County does hereby covenant, and agree to defend, indemnify and hold harmless the City School District of New Rochelle from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of, or in connection with the actual or proposed use of New Rochelle High School properties, facilities, and/or The District's services by Westchester County Gov't HR and/or the activities, functions, events, affairs during the school year, beginning July 1<sup>st</sup>, 2019 and ending June 30<sup>th</sup>, 2020"

The proposed agreement is exempt from the County's Procurement Policy and Procedures pursuant to Section 3(b) thereof, as the proposed Agreement is a license for the use of real property.

The goal of the Agreement is to provide a suitable location for the provision of a Civil Service Examination. The Department of Human Resources will monitor the Examination and the Agreement.

Accordingly, I recommend adoption of the annexed Resolution.

MJM/DI

**RESOLUTION**

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

**RESOLVED**, that the County of Westchester (the “County”) is hereby authorized to enter into a permit agreement with the City School District of New Rochelle for the use of New Rochelle High School to conduct a Civil Service Examination on February 1, 2020 at a cost not to exceed \$4,270, payable pursuant to an approved rate schedule (the “Agreement”); and be it further

**RESOLVED**, that the Agreement will include an indemnity provision which will provide as follows:

“Westchester County does hereby covenant [sic], and agree to defend, indemnify and hold harmless the City School District of New Rochelle from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of, or in connection with the actual or proposed use of New Rochelle High School properties, facilities, and/or The District’s services by Westchester County and/or the activities, functions, events, affairs during the school year, beginning July 1<sup>st</sup>, 2019 and ending June 30<sup>th</sup>, 2020”

**RESOLVED**, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Account to be Charged/Credited

| Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub-Object | Trust Account | Dollars |
|------|------|--|--------------------|---------------|---------|
| 101  | 12   | 6010                                   | 4909               |               | \$4,270 |
|      |      |  |                    |               |         |

Budget Funding Year(s) 2020 Start Date 2-1-20 End Date 2-1-20

Funding Source Tax Dollars \$4,270  
 State Aid \_\_\_\_\_  
\$4,270 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_