

73284

**DATE:** December 10, 2019  
**TO:** Board of Acquisition and Contract  
**FROM:** Hugh J. Greechan, Jr., P.E.  
Commissioner of Public Works and Transportation

Gary A. Friedman, Esq.  
Director of Real Estate  
Office of the County Executive

Kevin M. McGuire  
Commissioner of Social Services

**SUBJECT:** Authority to retroactively enter into an Agreement with the State of New York, acting by and through its Department of Labor (“NYSDOL”) pursuant to which NYSDOL will grant a permit (the “Permit”) to the County for the use and occupancy of approximately 8,170 sq. ft. of space at the NYSDOL Offices located at 120 Bloomingdale Road in White Plains, New York for the period from May 1, 2015 through April 30, 2018 at a rate of \$227,616.20 per year, less a credit \$97,161.70 for NYSDOL’s telephone use over the term of the Permit for a total aggregate amount not to exceed \$585,686.90. (Agreement No. 19-934)

Transmitted herewith is a Resolution requesting authority from your Honorable Board for the County of Westchester to retroactively enter into an agreement with the State of New York, acting by and through its Department of Labor (“NYSDOL”) pursuant to which NYSDOL will grant to the County a permit (the “Permit”) for the use and occupancy of approximately 8,170 square feet of space at the NYSDOL Offices located at 120 Bloomingdale Road in White Plains, New York. The space has been used during the Term (defined below) by the Westchester County Department of Social Services for its Office of Workforce Investment in order to combine the two separate operations of the Westchester One Stop Employment Center with that of the NYSDOL Office of Employment Services in the City of White Plains as required by the mandatory functional alignment plan that was approved by the NYSDOL Office of Workforce Development.

The Permit will be for the three-year period retroactive to May 1, 2015 through April 30, 2018 (the “Term”). In consideration for the grant of the permit, the County shall pay NYSDOL at the rate of \$27.86 per square foot per year for a total permit fee of \$227,616.20 per year, or \$682,848.60 over the Term, less credit \$97,161.70 to the County for NYSDOL’s telephone use over the Term for an aggregate amount not to exceed \$585,686.90. Payment will be made in one lump sum within sixty days of the execution of the Agreement by both parties and approval of same by the Office of the County Attorney.

Board of Acquisition and Contract  
Agreement No. 19-934  
State of New York Department of Labor  
Use of Space at 120 Bloomingdale Road  
White Plains, New York  
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It should be noted that the reason the County is seeking retroactive approval for this Permit is because of a prior disagreement between the County and NYSDOL over the Permit fees and telephone charges which has recently been resolved. It should further be noted that a Resolution will be separately submitted on a later date to be determined for another permit between the County and NYSDOL to cover the term beginning May 1, 2018 and expiring on April 30, 2021.

The goals and objectives of this contract are to combine the two separate operations of the Westchester One Stop Employment Center with that of the New York State Department of Labor's Office of Employment Services in the City of White Plains as required by the mandatory functional alignment plan that was approved by the NYSDOL Office of Workforce Development. Further, the goal is to reduce operational cost and operation efficiency through cost sharing and the combination of existing staff and resources between the two agencies. Further, this action will enhance the capabilities of the system and hence the public's perception of its ability to meet the related workforce needs of businesses, workers and job seekers.

These goals and objectives are in the best interest of the County because they allow for the continued delivery of high quality workforce assistance and preparation services in one centralized and accessible location; and produces significant cost savings at a time when federal workforce investment funds are being rescinded.

The goals and objectives of this contract will be tracked and monitored through the monthly financial and program reports that will reflect the operational cost savings, the number of customers served, and the variety and levels of services being used by the customers.

This agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

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

HJG/GAF/TK/jrc

# RESOLUTION

Upon a communication from the Commissioner of the Department of Public Works and Transportation, the Director of Real Estate, and the Commissioner of Social Services, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is authorized to retroactively enter into an agreement with the State of New York, acting by and through its Department of Labor ("NYSDOL") pursuant to which NYSDOL will grant to the County a permit (the "Permit") for the use and occupancy of approximately 8,170 square feet of space at the NYSDOL Offices located at 120 Bloomingdale Road in White Plains, New York for the period from May 1, 2015 through April 30, 2018 (the "Term"); and be it further

**RESOLVED**, that in consideration for the granting of the Permit, the County shall pay NYSDOL at the rate of \$27.86 per square foot per year for a total permit fee of \$227,616.20 per year, or \$682,848.60 over the Term, less credit \$97,161.70 to the County for NYSDOL's telephone use over the Term for an aggregate amount not to exceed \$585,686.90 and be it further

**RESOLVED**, that the total aggregate permit fee shall be payable in one lump sum within sixty days of execution of the Permit by both parties and approval of same by the Office of the County Attorney; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee, is hereby authorized and empowered to execute any and all documents necessary and appropriate to effectuate the purposes hereof.

Agreement No. 19-934

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3300/3392	4320		\$130,152.64 (2015)
	101	46	3300/3392	4320		\$195,228.96 (2016)
	101	46	3300/3392	4320		\$195,228.96 (2017)
	101	46	3300/3392	4320		\$ 65,076.34 (2018)

Budget Funding Year(s) 2015-2018 Start Date 05/01/15 End Date 04/30/18  
 (must match resolution)

Funding Source: Tax Dollars 100%

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

\$585,686.90 Federal Aid \_\_\_\_\_  
 (must match resolution)

Other \_\_\_\_\_