

73965

DATE: January 15, 2020

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond
Commissioner of Planning

SUBJECT: Resolution authorizing the agreement between the County of Westchester and Inspiria Outdoor LLC for billboard advertising in Westchester County for the 2020 Census

The attached resolution authorizes the County of Westchester (the "County") to enter into an agreement with Inspiria Outdoor LLC, to provide billboard advertising services, in order to promote the 2020 Census efforts in Westchester County. Inspiria Outdoor LLC will create/design 30 sheet billboard posters, with the dimension of 10.5' height by 22.5' width that will be distributed at 24 billboard locations throughout Westchester County. The total amount of the agreement shall not exceed \$44,400, payable pursuant to an approved budget. The term of the agreement is January 12, 2020 to July 31, 2020.

The agreement will include the following joint indemnification:

"Each party (the "Indemnifying Party") shall indemnify and hold the other party (the "Indemnified Party") harmless from and against any and all liability loss, damage, expense (including reasonable counsel fees) or deficiency resulting from any misrepresentation, breach of warranty or breach or nonfulfillment of any agreement or covenant on the part of the Indemnifying Party under this Agreement, and from any act, negligence, or omission of the Indemnifying Party or its employees or authorized agents. To be entitled to such indemnification, the Indemnified Party shall give the Indemnifying Party written notice of the assertion by a third party of any claim with respect to which the Indemnified Party might bring a claim for indemnification hereunder within the applicable period for defense of such claim by the Indemnified Party. This provision shall survive the termination of this Agreement for any reason."

The goal and objective of this agreement is to advertise/promote the 2020 Census in order to ensure that every County resident is counted in the 2020 Census. The Planning Department, the

Complete Count Committee and local government agencies are all in partnership to ensure the 2020 Census is accurately counted.

This agreement is exempt from the County's Procurement Policy pursuant to Section 3(a)iv thereof.

I recommend approval of this agreement.

NVD/cp/dlv
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/16/2020 - LISA MRIJAJ, SECRETARY

R E S O L U T I O N

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING, BE IT HEREBY

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to enter into an agreement with Inspiria Outdoor LLC to provide advertising services to promote the 2020 Census efforts for Westchester County. Inspiria Outdoor LLC will create/design 30 sheet billboard posters, with the dimension of 10.5’ height by 22.5’ width that will be distributed at 24 billboard locations throughout the County, for an amount not to exceed \$44,400, to be paid pursuant to an approved budget for a period beginning January 12, 2020 and ending July 31, 2020’ and be it further

RESOLVED, that the agreement shall contain the following joint indemnification: “Each party (the “Indemnifying Party”) shall indemnify and hold the other party (the “Indemnified Party”) harmless from and against any and all liability loss, damage, expense (including reasonable counsel fees) or deficiency resulting from any misrepresentation, breach of warranty or breach or nonfulfillment of any agreement or covenant on the part of the Indemnifying Party under this Agreement, and from any act, negligence, or omission of the Indemnifying Party or its employees or authorized agent(s). To be entitled to such indemnification, the Indemnified Party shall give the Indemnifying Party written notice of the assertion by a third party of any claim with respect to which the Indemnified Party might bring a claim for indemnification hereunder within the applicable period for defense of such claim by the Indemnified Party. This provision shall survive the termination of this Agreement for any reason.”; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any agreements, documents and take any actions necessary to effectuate purposes hereof.

Account to be
Charged/Credited
Charged/Credited

		Major Program, Program & Phase	Object/ Sub Object	Trust Account	
Fund	Dept.	Or Unit			Dollars
101	19	0100	4380		\$44,400

Budget Funding Year(s) FY 2020 Start Date: January 12, 2020 End Date: July 31, 2020
(must match resolution)

Funding Source Tax Dollars \$44,400
State Aid _____
Federal Aid _____
Other _____

\$44,400
(must match resolution)