

To: Board of Acquisition and Contract

From: Kevin M. Cheverko  
Commissioner of Correction

Date: March 5, 2010

Re: Resolution Authorizing the County of Westchester to amend an Intermunicipal Agreement with the City of Mount Vernon for Round Trip Prisoner Transportation between Mount Vernon and the Westchester County Jail for the term commencing January 1, 2007 and terminating December 31, 2008 in the total amount not to exceed \$346,000 in order to increase the contract amount by \$22,000 to a new total amount not to exceed \$368,000.

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On October 5, 2009, the Westchester County Board of Legislators adopted Act Number 171 - 2009 authorizing the County to amend an intermunicipal agreement with the City of Mount Vernon ("Mount Vernon") for the term commencing January 1, 2007 through December 31, 2008, whereby Mount Vernon will provide round trip transportation for prisoners between Mount Vernon and the Westchester County Jail in Valhalla, New York, (the "Agreement") in order to increase the amount of the Agreement from \$346,000 to \$368,000.

The proposed amendment is necessary as the result of an unforeseen increase in the number of arrests in Mount Vernon and the corresponding increase in prisoner transports that Mount Vernon was required to make in both 2007 and 2008. The reimbursement rates to Mount Vernon for round trip transportation pursuant to the Agreement will remain unchanged for the 2007-8 period.

The public purpose of the proposed amendment agreement is for the County to carry out its duty to transport arraigned prisoners between local courts and the County Jail in order to make mandatory court appearances in a cost effective manner. The goal of maintaining the safety of the public and prisoners while prisoners are transported to and from the County Jail was tracked and monitored by the Department of Correction through booking

records and monthly invoices. This agreement is exempt from procurement pursuant to §3(a)(iii) of the County Procurement Policy.

The approval of this contract will assure the public safety of County residents and will permit the transportation of prisoners which the County is required to provide pursuant to Section 500-c and 500-d of the Correction Law, at the best rate possible. If this Agreement is not authorized, the County may be required to provide transportation to Mount Vernon prisoners remanded to the County Jail at a greatly increased cost to the taxpayers. The proposed agreement is in the best interests of the County and is fiscally responsible, because the cost of acquiring appropriate vehicles and assigning required personnel, to provide such prisoner transportation, would far exceed the cost of any future agreement for these services.

A resolution for your consideration is annexed hereto which I recommend for your favorable consideration.

KC/DI:sw  
Attachment

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

## RESOLUTION

Upon a communication from the Acting Commissioner, Department of Correction, be it hereby

**RESOLVED**, that the County of Westchester is authorized to amend an intermunicipal agreement with the City of Mount Vernon ("Mount Vernon") for the term commencing January 1, 2007 and terminating December 31, 2008, whereby Mount Vernon will provide round trip transportation for prisoners between Mount Vernon and the Westchester County Jail in Valhalla, New York (the "Agreement") by increasing the not to exceed amount of the IMA by an additional \$22,000 from \$346,000 to \$368,000; and be it further

**RESOLVED**, that all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Original Agreement: \$346,000  
**This Amendment**     **22,000**  
 Total                     \$368,000

| Account to be Charged/credited | Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars  |
|--------------------------------|------|------|--|--------------------|---------------|----------|
| 2008                           | 101  | 35   | 1000                                   | 4445               |               | \$22,000 |
|                                |      |      |  |                    |               |          |
|                                |      |      |  |                    |               |          |

Budget Funding Year(s) 2007-8     Start Date 1/01/07     End Date 12/31/08  
 (must match resolution)

Funding Source     Tax Dollars     \$22,000  
                           State Aid     \_\_\_\_\_

Federal Aid     \_\_\_\_\_

\$ 22,000  
 (must match resolution)

Other     \_\_\_\_\_