



Department of Emergency Services

Memorandum

80252

DATE: October 14, 2020

TO: Board of Acquisition and Contract

FROM: John M. Cullen
Commissioner of Emergency Services

SUBJECT: Resolution Authorizing the County of Westchester to exercise its option to extend the agreement with BCFS Health and Human Services, to assist with, among other things, the implementation of the long-term remedial work plan and with development of guidance documents and training programs associated with the County's emergency preparedness to ensure compliance with the Americans with Disabilities Act, 42 U.S.C. § 12131 et seq., and Section 504 of the Rehabilitation Act, for one-year commencing on November 27, 2020 and terminating on November 26, 2021.

On June 6, 2019, your Honorable Board authorized the County of Westchester (the "County") acting by and through its Department of Emergency Services (the "Department,"), to enter into an agreement (the "Agreement") with BCFS Health and Human Services ("BCFS"), to assist the County with, among other things, the implementation of the long-term remedial work plan and with development of guidance documents and training programs associated with the County's emergency preparedness to ensure compliance with the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12131 et seq., and Section 504 of the Rehabilitation Act ("RA"), for an amount not to exceed \$57,644.08, pursuant to an approved budget, for a one-year term commencing upon execution (the "Initial Term"), with County having the sole option to extend the agreement for a term of up to one additional year. The Agreement was subsequently executed on November 27, 2019.

Due to delays caused by the Covid-19 Pandemic, BCFS was unable to complete the scope of work during the Initial Term. Accordingly, authority of your Honorable Board is respectfully requested for the County to enter into an amendment (the "First Amendment") to exercise its option to extend the agreement with BCFS for one year commencing on November 27, 2020 and

terminating on November 26, 2021 (the "Extension Period"). As the original not-to-exceed amount of \$57,644.08 has not been expended and the remaining funds are sufficient to cover the Extension Period, the First Amendment shall not increase the monetary amount of the Agreement.

All other terms and conditions of the Agreement shall remain in full force and effect.

Pursuant to the terms of the First Amendment, BCFS will continue to provide professional services, to assist the County with, among other things, the implementation of the long-term remedial work plan and with development of guidance documents and training programs associated with the County's emergency preparedness to ensure compliance with the ADA and RA.

The goal and objective of the First Amendment is to continue to provide professional services to assist the County with development of guidance documents and training programs associated with the County's emergency preparedness to ensure compliance with the ADA and RA.

The First Amendment will be tracked and monitored by the staff of the Department through meetings and conference calls and by the Department's close work with BCFS.

I respectfully recommend approval of the attached Resolution.

JMC/jrc

APPROVED BOARD OF ACQUISITION & CONTRACT 11/12/2020 - LSP/MRI/AJ, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Emergency Services, be it hereby

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to enter into an amendment (the “First Amendment”) of the agreement (the “agreement”) with BCFS Health and Human Services, (“BCFS”) pursuant to which BCFS provides professional services, to assist the County with, among other things, the implementation of the long-term remedial work plan and with development of guidance documents and training programs associated with the County’s emergency preparedness to ensure compliance with the Americans with Disabilities Act, and the Rehabilitation Act, in order to exercise its option to extend it for one year commencing on November 27, 2020 and terminating on November 26, 2021 (the “Extension Period”); and be it further

RESOLVED, that the First Amendment shall not increase the Agreement’s original not-to-exceed amount of \$57,644.08; 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 Agreement is subject to County appropriation; and be it further

RESOLVED that this Agreement is subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of the Agreements. 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 the Agreements or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Consultant, then the Consultant shall have the right to terminate this Agreement upon reasonable prior written notice; and, be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute all documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
	20				N/A

Budget Funding Year(s): ____ Start Date: 11/27/20 End Date: 11/26/21

