



Westchester Community College

State University of New York

ON BASE: 81670

TO: Board of Acquisition and Contract

FROM: Dr. Belinda S. Miles
President, Westchester Community College

DATE: December 18, 2020

RE: Authorization for the County of Westchester, acting by and through Westchester Community College (the "College"), to amend an agreement with the New York State Industries for the Disabled ("NYSID") for janitorial services at the College for the five (5) year period from September 1, 2020 to August 31, 2025 due to an increase in the Prevailing Wage Schedule and other related adjustments resulting in an increase in the not-to-exceed amount from \$1,728,711.16 to \$1,763,573.09 for the period September 1, 2020 to August 31, 2021 and a projected increase in the total not to exceed amount from \$8,643,555.80 to \$9,097,711.78 (including \$50,000.00 in miscellaneous additional work) subject to annual adjustments based upon the published New York State Department of Labor Prevailing Wage Schedule and subject to appropriations.

On May 28, 2020, your Honorable Board authorized the County of Westchester (the "County"), acting by and through Westchester Community College (the "College"), to enter into an agreement with the New York State Industries for the Disabled ("NYSID") for janitorial services at the College for the five (5) year period from September 1, 2020 to August 31, 2025, in an annual amount not to exceed \$1,728,711.16 for a total amount not to exceed \$8,643,555.80 (including \$50,000.00 in miscellaneous addition work) payable pursuant to an approved budget, subject to annual adjustments based upon the published New York State Department of Labor Prevailing Wage Schedule and subject to appropriations; to approve American Maintenance as a subcontractor; and to exempt NYSID from the County's Performance and Payment Bond requirement.

The authorization acknowledged that the contract shall be subject to annual adjustment(s) that shall be based upon the published New York State Department of Labor Prevailing Wage Schedule for Janitorial/Porter/Cleaner/Elevator Operator. The College has been informed that the prevailing wage has increased and therefore the not-to-exceed amount will increase from \$1,728,711.16 to \$1,763,573.09 for the period September 1, 2020 to August 31, 2021 and there will be a projected increase for the total contract term of September 1, 2020 through August 31, 2025 from a not to exceed amount of \$8,643,555.80 to \$9,097,711.78 (including \$50,000.00 in miscellaneous addition work).

Pursuant to State Finance Law § 162, the Commissioner of the New York State Office of General Services (“OGS”) sets the fair market price for services and determines whether a proposed price is within fifteen percent (15%) of the fair market price. The County must utilize that preferred provider as long as the price for the services does not exceed fifteen percent (15%) of the fair market price for such services as determined by OGS. Pursuant to State Finance Law § 162, OGS has approved the price herein and has determined that the increased fee to be paid under this contract is reasonable based on the applicable Prevailing Wage Schedule as set by the New York State Commissioner of Labor and taking into account the provisions of the Westchester County Living Wage Law.

This contract is in the public’s best interest because it will enhance the upkeep, maintenance and cleanliness of the facilities of the College and promote the health, safety and general welfare of employees, students and the general public, thus addressing the County Executive’s priority areas of Health and the Environment (HE) and Safety and Security (SS).

This contract will provide an environmental benefit through the utilization of “Green” cleaning products in accordance with Executive Order 2-2006.

If this resolution is not approved, the County will be in violation of State Finance Law §162 which requires the County to utilize a designated preferred source to provide these services.

Accordingly, authorization to increase the contract amount for janitorial services to be provided by NYSID is requested. I recommend approval of the attached resolution.

BSM/smg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
01/14/2013 3:04 PM COCCANZI, ERIC

RESOLUTION

Upon a communication from the President of Westchester Community College, be it hereby

RESOLVED, that the County of Westchester (the “County”), acting by and through Westchester Community College (the “College”), is authorized to amend the agreement with the New York State Industries for the Disabled (“NYSID”) for the period September 1, 2020 to August 31, 2021 by increasing the amount payable by \$34,861.93 to a not to exceed amount of \$1,763,573.09; and be it further

RESOLVED, that the total not to exceed amount for the contract term of September 1, 2020 through August 31, 2025 shall increase by \$454,155.98 from a not to exceed amount of \$8,643,555.80 to \$9,097,711.78 (including \$50,000.00 in miscellaneous additional work), payable pursuant to an approved budget and subject to annual adjustments based upon the published New York State Department of Labor Prevailing Wage Schedule; and be it further

RESOLVED, that all other terms shall remain the same; and be it further

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

| Account to be Charged/Credited | Fund | Dept. | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars |
|--------------------------------|-----------|-------|--|--------------------|---------------|--------------|
| WCC FY 20/21 | 010 | 0250 | | 4380 | | \$34,446.13 |
| | Bookstore | | | | | \$ 415.80 |
| WCC FY 21/22 | 010 | 0250 | | 4380 | | \$72,998.68 |
| | Bookstore | | | | | \$ 899.13 |
| WCC FY 22/23 | 010 | 0250 | | 4380 | | \$113,724.65 |
| | Bookstore | | | | | \$ 1,407.43 |
| WCC FY 23/24 | 010 | 0250 | | 4380 | | \$113,724.65 |
| | Bookstore | | | | | \$ 1,407.43 |
| WCC FY 24/25 | 010 | 0250 | | 4380 | | \$113,724.65 |
| | Bookstore | | | | | \$ 1,407.43 |

Budget Funding Year(s) 2020/25 **Start Date:** September 1, 2020 **End Date:** August 31, 2025
 (must match resolution)

Funding Source: **Tax Dollars** \$ 125,219.59
\$ 454,155.98
 (must match resolution) **State Aid** \$ 111,559.74
Other \$ 217,376.65

Contractor Federal I.D. No./
Social Security No.:
Federal Aid _____ **Vendor No.:**
Encumbrance No.: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/14/2021 - JOAN COCCIARDI, SECRETARY