

81905

DATE: January 21, 2021

TO: Board of Acquisition and Contract

FROM: Sherlita Amler, MD
Commissioner of Health

RE: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, agreements with Susan H. Brailey, Joseph C. LoCascio, Robert Ponzini, Ilan D. Gilbert and Judith A. Woods as Hearing Officers, for the term commencing on March 1, 2021 and terminating on February 28, 2022

By Resolution submitted concurrently herewith, the Westchester County Department of Health (the "WCDH") seeks authorization to enter into contracts with each of the following persons: Susan H. Brailey, Joseph C. LoCascio, Robert Ponzini, Ilan D. Gilbert and Judith A. Woods as Hearing Officers, for the term commencing on March 1, 2021 and terminating on February 28, 2022.

Authority is hereby requested from your Honorable Board to exempt these agreements pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures from the Westchester County Procurement Policy.

Ordinarily, under Section 5(a) of the Procurement Policy ("Section 5(a)"), the County is required to solicit oral or written quotations from no fewer than three persons customarily providing the required services in order to authorize such additional services and to inquire as to the qualifications of such persons.

However, the need to solicit quotations in this instance is obviated by the fact that the rates of compensation for these services are already established by County policy.

Moreover, the Board has already reviewed the qualifications of these individuals and they have been approved as qualified pursuant to the Uniform Procedures for the Designation of Hearing Officers in accordance with the Public Health Laws of the State of New York and Laws of Westchester County (see attachment).

As such, compliance with the requirements of Section 5(a) in this instance would be duplicative and unnecessary and, therefore, not in the best interests of the County.

Pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting these agreements from the County Procurement Policy.

Accordingly, a resolution to exempt the procurement of agreements with the hearing officers named above is hereby submitted for your consideration.

Attachment
SA/DC/JRC

RESOLUTION

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

RESOLVED,

that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting quotations, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of agreements with Susan H. Brailey, Joseph C. LoCascio, Robert Ponzini, Ian D. Gilbert and Judith A. Woods to provide services as Hearing Officers, for a term commencing on March 1, 2021 and terminating on February 28, 2022.

Department of Health
10 County Center Road, 2nd Floor
White Plains, New York 10607

Original Agreement	\$
First Amendment	\$
This Amendment	\$ _____
TOTAL	\$

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/28/2022 - MR. J. M. MARIJAJ, SECRETARY