

83832

Date: March 24, 2021

To: The Honorable Board of Acquisition and Contract

From: Thomas A. Gleason, Acting Commissioner-Sheriff
Department of Public Safety

Re: **Resolution Authorizing the County of Westchester, acting by and through its Department of Public Safety, to enter into a License Agreement with the State of New York, acting by and through its Office of Parks, Recreation and Historic Preservation, in order to provide the County with the use of a boat, trailer and related marine equipment.**

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into a license agreement with the State of New York, acting by and through its Office of Parks, Recreation and Historic Preservation (the "State"), in order to provide the County with the use of a 2015 24' Boston Whaler boat, 2015 Boatmaster trailer, twin 200 HP Mercury Verado outboard engines, a flush mount Garmin 6212 radar dish and remote antenna, an Icon marine radio, a remote control spotlight and light/siren control box (hereinafter collectively referred to as the "Marine Equipment") for marine law enforcement purposes. The license agreement shall commence upon full execution and shall continue unless terminated by either party.

There will be no cost to the County in connection with the license agreement to use the Marine Equipment, however, in accordance with the terms of the license agreement, the County shall agree to be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the use of the Marine Equipment, and the County shall further covenant and agree to defend, indemnify and hold harmless the State, its officers, employees, and agents from any and all liability, claims, suits, actions, damages and costs of every nature which may arise out of or result from the County's use of the Marine Equipment.

The objective of this license agreement is in the County's best interest as it shall provide the County's Department of Public Safety with Marine Equipment at no

cost which will assist in its marine law enforcement duties. The license agreement shall be monitored by Department of Public Safety personnel.

This agreement is exempt from the Westchester County Procurement Policy and Procedures pursuant to Sections 3(a) iii and 3(b) thereof.

A resolution is attached for your favorable consideration.

TAG/jpi
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/08/2021 - LISA MRIJAJ, SECRETARY

RESOLUTION

Upon a communication from the Acting Commissioner-Sheriff, Department of Public Safety, be it hereby

RESOLVED, that the County of Westchester, acting by its Department of Public Safety (the "County"), is hereby authorized to enter into a license agreement with the State of New York, acting by and through its Office of Parks, Recreation and Historic Preservation (the "State"), in order to provide the County with the use of a 2015 24' Boston Whaler boat, 2015 Boatmaster trailer, twin 200 HP Mercury Verado outboard engines, a flush mount Garmin 6212 radar dish and remote antenna, an Icon marine radio, a remote control spotlight and light/siren control box (hereinafter collectively referred to as the "Marine Equipment").

RESOLVED, that the license agreement shall commence upon full execution and shall continue in full force and effect unless terminated by either party; and be it further

RESOLVED, that there will be no cost to the County in connection with the license agreement to use the Marine Equipment, however, in accordance with the terms of the license agreement, the County shall agree to be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the use of the Marine Equipment, and shall further covenant and agree to defend, indemnify and hold harmless the State, its officers, employees, and agents from any and all liability, claims, suits, actions, damages and costs of every nature which may arise out of or result from the County's use of the Marine Equipment.

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments necessary to implement this Resolution.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
N/A						

Budget Funding Year(s) (must match resolution) Start Date: upon execution End Date: N/A

Funding Source: Tax Dollars _____ Contractor Federal I.D. No./ Social Security No.: _____
 State Aid _____
 Federal Aid _____ Vendor No.: _____
 _____ (must match resolution) Other _____ Encumbrance No.: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/08/2021 - LISA MRIJAJ, SECRETARY