



Department of Emergency Services

Memorandum

86346

DATE: July 14, 2021

TO: Board of Acquisition and Contract

FROM: Richard G. Wishnie
Acting Commissioner of Emergency Services

RE: Authority to enter into an agreement with the New York State Division of Homeland Security and Emergency Services (“DHSES”) pursuant to which DHSES will loan to the County the hardware, software and user subscription service for Mutualink Edge, at no cost to the County.

Authority is requested for the County of Westchester (the “County”), acting by and through the Department of Emergency Services (the “Department”), to enter into an agreement with DHSES pursuant to which DHSES will temporarily loan to the County the hardware, software and user subscription service for Mutualink Edge, an interoperable communications resource which will allow the County to communicate with the State of New York and other jurisdictions on a common platform for emergency management and public safety planning and response purposes (the “Agreement”). The term of the Agreement will commence on the first Monday immediately following approval of the Agreement by the Office of State Comptroller and will terminate on March 31, 2024. There will be no cost to the County for the use of this resource. However, the County will be responsible for all peripheral costs associated with use of the equipment, including internet and mobile data access, in addition to preparing, packing and transporting the equipment for return to DHSES following the expiration of the Agreement.

It should be noted that pursuant to the terms of the Agreement, the County will be required to indemnify and hold harmless the State of New York for any claims arising out of the use and deployment of the interoperable communications resources.

The Agreement is exempt from the Westchester County Procurement Policy pursuant to section 3(a)iii which exempts “transactions or contracts with the United States of America, any State, and any political subdivision, agency or instrumentality thereof.”

The Agreement will serve a public purpose by enhancing the County’s emergency management and public safety planning and response capabilities.

The goals and objectives of the Agreement are to provide an interoperable communications resource that will enable the County to communicate with the State of New

York and other jurisdictions on a common platform for emergency management and public safety planning and response purposes.

The goals and objectives are in the best interests of the County in terms of public safety as the interoperable communications equipment will enhance the County's ability to coordinate the delivery of emergency response resources with other jurisdictions, thereby increasing response time. The Department will track and monitor the goals and objectives of the agreement in order to evaluate the success of the program's impact on public safety and public health.

Approval of the attached resolution by your Honorable Board is respectfully requested.

RW/LL/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/12/2021 - RAYMOND SCULKY, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”) acting by and through the Department of Emergency Services (the “Department”), is authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services (“DHSES”) pursuant to which DHSES will loan to the County the hardware, software and user subscription service for Mutualink Edge, an interoperable communications resource which will allow the County to communicate with the State of New York (the “State”) and other jurisdictions on a common platform for emergency management and public safety planning and response purposes (the “Agreement”); and be it further

RESOLVED, that the term of the Agreement shall commence on the first Monday immediately following approval of the Agreement by the Office of State Comptroller and will terminate on March 31, 2024; and be it further

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RESOLVED, that pursuant to the terms of the Agreement, the County will be required to indemnify and hold harmless the State for any claims arising out of the use and deployment of the interoperable communications resources; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute any 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 |
|------|------|--|--------------------|---------------|---------|
| | | | | | N/A |
| | | | | | |

Budget Funding Year(s) _____ Start Date upon execution End Date 3/31/2024
(must match resolution)

Funding Source Tax Dollars _____
State Aid _____
\$N/A _____ Federal Aid _____
(must match resolution) Other _____