



Department of Emergency Services

Memorandum

OnBase 86989

TO: Board of Acquisition and Contract

FROM: Richard G. Wishnie
Acting Commissioner of Emergency Services

DATE: August 13, 2021

SUBJECT: Authorization to enter into a grant agreement with the New York State Division of Homeland Security and Emergency Services to accept \$683,944.00 in federal grant funds under the FY2021 State Homeland Security grant program, for the maintenance of County emergency planning activities, for the period October 1, 2021 through September 30, 2024.

Authorization is requested from your Honorable Board for the County of Westchester (the "County"), acting by and through its Department of Emergency Services (the "Department"), to enter into a grant agreement – DHSES WM21834310 (the "Grant Agreement") with the New York State Division of Homeland Security and Emergency Services (the "State") to accept federal grant funds to assist the County in its efforts to prevent and address terrorist attacks and mitigate against man-made and natural hazards, protect County residents, the County's critical infrastructure and key resources, and prepare to respond to and recover from both man-made and natural disasters, among other things, in compliance with the FY2021 State Homeland Security grant program ("FY2021 SHSP Grant Program"), for the period October 1, 2021 through September 30, 2024, for a total amount not-to-exceed \$683,944.00.

The Grant Agreement will require the County to indemnify the State as follows:

"The Contractor shall 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 services to be rendered by the Contractor or its subcontractors pursuant to this Contract. The Contractor shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the [Grant Agreement]."

This Grant Agreement will serve the public's best interest as it will enhance emergency preparedness and thereby preserve the health, safety and general welfare of County residents. The goals and objectives of this program are to address vulnerabilities and develop capabilities to meet target capabilities as outlined in the Federal Guidelines. This includes providing assistance to and support for surveillance, detection,

interdiction, response, mitigation, operations and recovery from threats or acts of terrorism and man-made and natural hazards.

The goals and objectives of this Grant Agreement are to address vulnerabilities and develop capabilities to meet target capabilities as outlined in the federal Homeland Security Grant Program guidelines. This includes providing assistance to and support for surveillance, detection, interdiction, response, mitigation, operations and recovery from man-made and natural disasters.

Additionally, this Grant Agreement will enhance common planning and operational protocols and improve emergency responder skills and capabilities. The Department will be able to monitor the effectiveness of this effort through a series of performance measures required by the State.

I certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

Since the Grant Agreement does not constitute a procurement of goods or services, it is not subject to the provisions of the County Procurement Policy & Procedures.

In view of the importance of this program, I recommend approval of the attached resolution.

RGW/cmc

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/16/2021 - JOAQUIN GUARDI, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”), acting by and through its Department of Emergency Services, is authorized to enter into a grant agreement – DHSES WM21834310 (the “Grant Agreement”) with the New York State Division of Homeland Security and Emergency Services (the “State”) to accept federal grant funds in an amount not-to-exceed \$683,944.00, for the period October 1, 2021 through September 30, 2024, to assist the County in its efforts related to emergency planning activities in order to prevent and address terrorist attacks and mitigate against man-made and natural hazards, protect the residents of the County, the County’s critical infrastructure and key resources, and prepare to respond to and recover from both man-made and natural disasters, amongst other things, in compliance with the FY2021 New York State Homeland Security grant program, and be it further

RESOLVED, that the Grant Agreement will require the County to indemnify the State as follows:

“The Contractor shall 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 services to be rendered by the Contractor or its subcontractors pursuant to this Contract. The Contractor shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the [Grant Agreement].”

RESOLVED, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	263	20	390W	9853	T390	8000	\$683,944

Budget Funding Year(s) 2021-2024 Start Date 10/01/21 End Date 09/30/24
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____

\$683,944 Federal Aid \$683,944
 (must match resolution) Other _____