



Date: March 23, 2010

To: Honorable Board of Acquisition and Contract

From: Hon. Kenneth W. Jenkins, Chairman  
Westchester County Board of Legislators

Re: **Authority to enter into an agreement with Strategic Business Alliance of Yonkers, Inc. ("SBAY") pursuant to which SBAY will provide services to women and minority-owned businesses for the period of March 1, 2010 through February 28, 2011, in an amount not to exceed \$45,000.00**

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The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement with Strategic Business Alliance of Yonkers, Inc. ("SBAY") pursuant to which SBAY will provide services including locating, identifying and assisting women and minority-owned businesses ("W/MBEs") and encouraging them to register as W/MBEs.

The term of this Agreement will be March 1, 2010 through February 28, 2011 in an amount not to exceed Forty Five Thousand (\$45,000.00) Dollars, payable in two installments, the first upon execution of this contract and the balance on September 1, 2010.

This agreement is exempt from the Westchester County Procurement Policy pursuant to Section 9 (a) of that policy. The Board of Legislators has determined that SBAY is the only source which provides opportunities to all minority groups in Westchester.

When compared to the previous contract, SBAY identified reductions to overall deliverables that the County Board of Legislators deemed acceptable. The goals and objectives of this agreement are to register at least 40 new W/MBEs within the term of the agreement.

Accordingly, I recommend and urge your Honorable Board's approval of the annexed Resolution.

KWJ/mlg

## RESOLUTION

Upon a communication from the Chairman of the Westchester County Board of Legislators, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is authorized to enter into an agreement with Strategic Business Alliance of Yonkers, Inc. ("SBAY") pursuant to which SBAY will provide services including locating, identifying and assisting women and minority-owned businesses ("W/MBEs") and encouraging them to register as W/MBEs for the term March 1, 2010 through February 28, 2011, in an amount not to exceed Forty Five Thousand (\$45,000.00) Dollars, payable in two equal installments, the first upon contract execution and the balance on September 1, 2010, and be it further

**RESOLVED**, this agreement is exempt from the Westchester County Procurement Policy pursuant to Section 9 (a) of that policy. The Board of Legislators has determined that SBAY is the only source which provides opportunities to all minority groups in Westchester; and be it further

**RESOLVED**, that the Agreement is subject to County appropriations; and be it further

**RESOLVED**, that the Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Service Provider, then the Service Provider shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the Chairman of the Westchester County Board of Legislators, 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
101	52	2504	5100		\$45,000

Budget Funding Year(s) 2010 Start Date 3/1/2010 End Date 2/28/11  
(must match resolution)

Funding Source Tax Dollars \$45,000  
State Aid \_\_\_\_\_  
**\$ 45,000** Federal Aid \_\_\_\_\_  
(must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-15-2010 JOMARY VEIRA, SECRETARY