

87969

DATE: September 17, 2021

TO: The Honorable Board of Acquisition and Contract

FROM: Thomas A. Gleason
Acting Commissioner-Sheriff of Public Safety

Re: Authority for the County of Westchester to enter into an agreement with the New York State Division of Homeland Security and Emergency Services, to accept a grant in the amount of \$1,324,829.00 under the FY2021 Urban Area Security Initiative (“UASI”) to purchase various communications equipment, Chemical, Biological, Radiological, Nuclear and Explosive (“CBRNE”) response, detection and mitigation equipment, personnel costs, and training services for a term commencing on October 1, 2021 and continuing through September 30, 2024.

Attached for your consideration is a Resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the “County”), acting by and through its Department of Public Safety (the “Department”), to enter into an agreement – Project No. UN21-1003-D00 - with the New York State Division of Homeland Security and Emergency Services (the “DHSES”) to accept a grant in the amount of \$1,324,829.00 under its FY2021 Urban Area Security Initiative (“UASI”), to be used by the County to purchase various communications equipment, Chemical, Biological, Radiological, Nuclear and Explosive (“CBRNE”) response, detection and mitigation equipment, personnel costs, and training services, for a term commencing on October 1, 2021 and continuing through September 30, 2024 (the “Agreement”).

Under the Agreement, DHSES shall directly reimburse the County on a quarterly basis for actual expenditures up to an amount not-to-exceed \$1,324,829.00, upon the County’s presentation of invoices to the DHSES, together with supporting documentation.

The Agreement will require the County to indemnify DHSES as follows:

“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 Contract.”

The Agreement’s goals and objectives shall serve a public purpose by providing the County with funds to purchase equipment and training services to maintain and further improve the County’s ability to prevent and respond to all hazards incidents throughout the County.

The Agreement is in the County's best interest regarding public safety as the grant funds will be used to purchase the aforementioned equipment and training services which will allow the County to continue to improve its ability to protect residents from all hazardous incidents.

The Department shall track and monitor the Agreement's effectiveness by analyzing the results obtained from a series of DHSES required performance measures.

Since this is a grant agreement and not a contract for the procurement of goods or services, it is not subject to the requirements of the Westchester County Procurement Policy.

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.

Accordingly, authority is respectfully requested from your Honorable Board for the County to enter into this Agreement.

TAG/cg/cmc
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/21/2021 - RAYMOND SCHEIDT, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”) acting by and through its Department of Public Safety, is authorized to enter into an agreement – Project No. UN21-1003-D00 (the “Agreement”) with the New York State Department of Homeland Security and Emergency Services (the “DHSES”) to accept a grant in the amount of \$1,324,829.00 under its FY2021 Urban Area Security Initiative (“UASI”) to be used by the County to purchase various communications equipment, Chemical, Biological, Radiological, Nuclear and Explosive (“CBRNE”) response, detection and mitigation equipment, personnel costs, and training services, for a term commencing on October 1, 2021 and continuing through September 30, 2024; and be it further

RESOLVED, that DHSES shall make payments directly to the County on a quarterly basis quarterly basis for actual expenditures up to an amount not to exceed \$1,324,829.00, upon presentation by the Department to DHSES of invoices, together with supporting documentation; and be it further

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

“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 Contract.”

RESOLVED, that the County Executive or his duly 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/Revenue	Fund	Dept	Major Program, Program & Phase or Unit	Revenue	Trust Account	Dollars
	263	38	475W	9853	T475	\$1,324,829

Budget Funding Year(s) 2021 - 2024 Start Date: October 1, 2021 End Date: September 30, 2024

Funding Source Tax Dollars:
 State Aid:
\$1,324,829.00 Federal Aid: \$1,324,829 (Fed Pass Thru)
 (must match resolution) Other: