

January 4, 2022

89933

To: Honorable Board of Acquisition and Contract

From: Joseph K. Spano  
Commissioner of Correction

Re: Authority for the County of Westchester to exercise the second renewal option under a license agreement with Aramark Correctional Services, LLC to operate inmate commissaries at the Westchester County Jail, the Penitentiary, the Female Division and Ward 29 at the Westchester Medical Center, for the term from January 1, 2022 through December 31, 2022.

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On January 10, 2019, your Honorable Board approved a Resolution authorizing the County of Westchester ("County") to enter into a license agreement with Aramark Correctional Services, LLC ("Aramark") to operate inmate commissaries at the Westchester County Jail, the Penitentiary, the Female Division and Ward 29 at the Westchester Medical Center for the term from January 1, 2019 through December 31, 2020, with the County's option to renew the agreement for up to three (3) one (1) year periods ("Agreement").

On December 23, 2020, your Honorable Board approved a Resolution authorizing the County to exercise its first renewal option for the term from January 1, 2021 through December 31, 2021, with the remaining terms and conditions of the Agreement remaining unchanged

Authority is now requested for the County to exercise its second renewal option for the term from January 1, 2022 through December 31, 2022. All other terms and conditions of the Agreement will remain unchanged. Pursuant to the Agreement, Aramark pays the County 39.6% of net sales on all commissary items except postage, stamped envelopes and indigent kits. All money paid to the County will go into the Inmate Welfare Trust Fund.

The Department of Corrections is able to report the following information from 2020:

- The average prison population was 573 inmates per day.
- Inmates are allowed to purchase commissary items twice per week.
- The cost of these purchases totaled \$1,302,630.00.
- The County earned \$515,842.00 commission on these sales.
- The commission earnings were deposited into the Inmate Welfare Trust Fund.
- The Inmate Welfare Trust Fund is used for the benefit of the inmates.

The goal and objective of this agreement is to provide and distribute commissary goods to be purchased by the inmates in the most professional and cost efficient manner possible. The commissary items should be known to be popular and generally acceptable to the inmates.

There will be a verifiable audit trail. Aramark will provide a commissary trust balance sheet that is maintained by the Department of Correction, and an inmate order history. Aramark will also provide a commissary sales report that itemizes each sale and confirms sales and related commissions.

Accordingly, I recommend approval of the annexed Resolution.

JKS/DLV/dv

APPROVED BOARD OF ACQUISITION & CONTRACT 01/20/2022 RAYMOND SUDKY, SECRETARY

**RESOLUTION**

Upon a communication from the Commissioner of Correction, be it hereby

**RESOLVED**, that the County of Westchester is authorized to exercise the second renewal option under a license agreement with Aramark Correctional Services, LLC to operate inmate commissaries at the Westchester County Jail, the Penitentiary, the Female Division and Ward 29 at the Westchester Medical Center for the term from January 1, 2022 through December 31, 2022; and be it further

**RESOLVED**, that all other terms and conditions of the agreement shall remain unchanged; and be it further

**RESOLVED**, that the County Executive or his duly 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	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	711	35		9856	TD11		N/A

Budget Funding Year(s) 2022 Start Date 1/01/2022 End Date 12/31/2022  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 Federal Aid \_\_\_\_\_  
 Other N/A

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/20/2022 RAYMOND SULKY, SECRETARY