



Westchester Community College

State University of New York

#91024

February 8, 2022

To: Board of Acquisition and Contract

From: Belinda S. Miles
President, Westchester Community College

Re: Resolution authorizing the County of Westchester, acting by and through Westchester Community College, to retroactively enter into an agreement with Bargaining Associates, LLC for the provision of consulting services to Westchester Community College in connection with labor negotiations and related matters for the term September 1, 2020 through August 31, 2022 for an amount not to exceed \$156,000 payable at an hourly rate of \$200 pursuant to an approved budget

Authority is respectfully requested for the County of Westchester (the "County"), acting by and through Westchester Community College (the "College"), to retroactively enter into an agreement with Bargaining Associates, LLC ("Bargaining Associates") for the provision of consulting services to the College in connection with labor negotiations and related ongoing contractual matters including, without limitation, arbitrations, grievances, unfair labor practices charges, improper practice charges and labor management committee meetings. The term of the agreement will commence retroactively on September 1, 2020 and continue through August 31, 2022 for an amount not to exceed \$156,000 payable at an hourly rate of \$200 pursuant to an approved budget.

Bargaining Associates has provided these services to the County since 1998. One of the principals of Bargaining Associates, Michael Wittenberg, is a former Director of Labor Relations for the County responsible for negotiating the County's contracts with its various labor unions. Because of Mr. Wittenberg's ongoing relationship with the College and County, he is uniquely qualified to provide these services. He has the institutional memory and relationship with County and union officials which are expected to expedite and facilitate negotiations. Given Mr. Wittenberg's vast experience and familiarity with County labor practices and procedures, it would serve the public interest for his firm to provide consulting services to Westchester Community College in connection with labor negotiations and related matters.

This agreement will be tracked and monitored by College personnel.

Authority to exempt this Agreement from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof, has been granted by your Honorable Board in accordance with a separate resolution of even date herewith.

Accordingly, approval of the annexed proposed Resolution is requested.

BSM/SG/jrc
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/24/2022 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the President of Westchester Community College, be it hereby

RESOLVED, that the County of Westchester, acting by and through Westchester Community College, is hereby authorized to retroactively enter into an agreement with Bargaining Associates, LLC for the provision of consulting services to Westchester Community College in connection with labor negotiations and related matters for the term September 1, 2020 through August 31, 2022 for an amount not to exceed \$156,000 payable at an hourly rate of \$200 pursuant to an approved budget; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute all documents and take all actions necessary to effectuate the purposes thereof.

| Account to be Charged/Credited | Fund | Dept. | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars |
|--------------------------------|------|-------|--|--------------------|---------------|----------------|
| | 010 | 0130 | | 4425 | | FY 21 \$78,000 |
| | 010 | 0130 | | 4425 | | FY 22 \$78,000 |
| | | | | | | |

Budget Funding Year(s) 20/21-21/22 Start Date: 9/1/2020 End Date: 8/31/2022
 (must match resolution)

| | | | |
|-----------------|-------------|----------------------------|------------------------------|
| Funding Source: | Tax Dollars | \$ <u>38,571</u> | Contractor Federal I.D. No./ |
| | State Aid | \$ <u>36,267</u> | Social Security No.: |
| | Federal Aid | _____ | Vendor No.: |
| | Other | \$ <u>81,162 (Tuition)</u> | Encumbrance No.: _____ |

\$ 156,000
 (must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/24/2022 - RAYMOND SCULKA - SECRETARY