

91930

DATE: March 18, 2022

TO: Board of Acquisition and Contract

FROM: Helen May
Acting Commissioner of Human Resources

RE: **Resolution authorizing the County of Westchester to enter into a permit agreement with the City School District of New Rochelle for the use of New Rochelle High School to conduct Civil Service Examinations on May 14, 2022, in an amount not to exceed \$8,000, payable pursuant to an approved rate schedule.**

Transmitted herewith is a resolution which, if approved by your Honorable Board will authorize the County of Westchester (the "County") to enter into a permit agreement with the City School District of New Rochelle for the use of New Rochelle High School to conduct Civil Service Examinations on May 14, 2022 at a cost not to exceed \$8,000, payable pursuant to an approved rate schedule (the "Agreement").

The Agreement will include an indemnity provision in a form substantially similar to the following:

"Westchester County does hereby covenant and agree to defend, indemnify and hold harmless the City School District of New Rochelle from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) of any nature or kind including those for bodily injury, to the extent permissible by law, arising out of, or in connection with the actual or proposed use of the District's property, facilities and/or activities by Westchester County."

The proposed agreement is exempt from the County's Procurement Policy and Procedures pursuant to Section 3(b) thereof, as the proposed Agreement is a license for the use of real property.

The goal of the Agreement is to provide a suitable location for the provision of Civil Service Examinations. The Department of Human Resources will monitor the Examination and the Agreement.

Accordingly, I recommend adoption of the annexed Resolution.

HM/KAM/jpg
Attachment

RESOLUTION

Upon a communication from the Acting Commissioner of Human Resources, be it hereby

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to enter into a permit agreement with the City School District of New Rochelle for the use of New Rochelle High School to conduct Civil Service Examinations on May 14, 2022 at a cost not to exceed \$8,000, payable pursuant to an approved rate schedule (the “Agreement”); and be it further

RESOLVED, that the Agreement will include an indemnity provision in a form substantially similar to the following:

“Westchester County does hereby covenant and agree to defend, indemnify and hold harmless the City School District of New Rochelle from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) of any nature or kind including those for bodily injury, to the extent permissible by law, arising out of, or in connection with the actual or proposed use of the District’s property, facilities and/or activities by Westchester County.”

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	12	6010	4909		\$8,000

Budget Funding Year(s) 2022 Start Date 5-14-22 End Date 5-14-22

Funding Source Tax Dollars \$8,000
State Aid _____
\$8,000 Federal Aid _____
(must match resolution) Other _____