

**9205**

To: Board of Acquisition and Contract

From: Kevin Cheverko  
Acting Commissioner  
Department of Correction

Date: April 16, 2010

Re: Resolution Authorizing an Agreement with the City of Yonkers for Prisoner Transportation between Yonkers and the Westchester County Jail for the term commencing January 1, 2010 and terminating December 31, 2011 in the total amount of \$649,557.

On April 5, 2010 the Westchester County Board of Legislators adopted Act No. 21-2010 authorizing the County to enter into an intermunicipal agreement with the City of Yonkers ("Yonkers") for the term January 1, 2010 through December 31, 2011, whereby Yonkers will provide round trip transportation for prisoners between Yonkers and the Westchester County Jail located in Valhalla, New York. The annual cost to the County for this agreement will be \$319,979 in 2010 and \$329,578 in 2011, payable each year in twelve equal monthly installments. The total flat fee for prisoner transportation services for the two-year term of the agreement is \$649,557 and includes all related expenses, such as mileage, prisoner meals, and personnel.

The public purpose of the proposed agreement is for the County to carry out its duty to transport arraigned prisoners between local courts and the County Jail in order to make mandatory court appearances in a cost effective manner. The goal of maintaining the safety of the public and prisoners while prisoners are transported to and from the County Jail will be tracked and monitored by the Department of Correction through booking records and monthly invoicing. This agreement is exempt from procurement pursuant to §3(a)(iii) of the County Procurement Policy.

The approval of this contract will assure the public safety of County residents and will permit the transportation of prisoners which the County is required to provide pursuant to Section 500-c and 500-d of the Correction Law, at the best rate possible. If this Agreement is not authorized, the County will be required to provide transportation to all prisoners remanded to the County Jail at a greatly increased cost to the taxpayers. The proposed agreement is in the best interests of the County and is fiscally responsible, because the cost of acquiring appropriate vehicles and assigning required personnel, to provide such prisoner transportation, would far exceed the cost of this agreement.

A resolution for your consideration is annexed hereto which I recommend for your favorable consideration.

KC/DI:sw  
Attachment

## RESOLUTION

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

**RESOLVED**, that the County of Westchester is authorized to enter into an intermunicipal agreement with the City of Yonkers (“Yonkers”) for the term commencing January 1, 2010 and terminating December 31, 2011, whereby Yonkers will provide round trip transportation for prisoners between Yonkers and the Westchester County Jail located in Valhalla, New York. The annual flat rate of reimbursement to Yonkers shall be \$319,979 in 2010 and \$329,578 in 2011, payable each year in twelve equal monthly installments for a total contract amount of \$649,557. The annual contract amount includes all related expenses which include, but are not limited to, mileage, prisoner meals, and personnel; and be it further

**RESOLVED**, that the County Executive or his 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/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2010	101	35	1000	4445		\$319,979
2011	101	35	1000	4445		\$329,578

Budget Funding Year(s) 2010-11 Start Date 1/01/10 End Date 12/31/11  
 (must match resolution)

Funding Source Tax Dollars X

State Aid \_\_\_\_\_

\$ 649,557 Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_\_\_

APPROVED BY BOARD OF ACQUISITION & CONTRACT - 5-20-2010 - JOMAR VEIRA, SECRETARY