



OnBase ID# 102916

DATE: August 16, 2023

TO: The Honorable Board of Acquisition and Contract

FROM: Joseph K. Spano
Commissioner, Department of Correction

SUBJECT: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Sec. 3(a)xxi thereof, the procurement of an agreement with Pro Safety Services LLC., to provide a noise, light, and ventilation survey of the Westchester County Department of Correction facilities located in Valhalla, New York.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures (the "Policy"), pursuant to Sec. 3(a)xxi thereof, the procurement of an agreement with Pro Safety Services LLC ("Pro Safety") pursuant to which Pro Safety will provide a noise, light, and ventilation survey of the Westchester County Department of Correction (the "Department") facilities located in Valhalla, New York (the "Agreement"). The term of the Agreement will commence on June 1, 2023 and continue through August 31, 2023. In consideration for services rendered, the County of Westchester, acting by and through the Department, will pay Pro Safety an amount not-to-exceed \$3,194.00 upon completion of the work, pursuant to an approved budget.

Ordinarily, under Section 5 of the Policy, the County is required to solicit written or oral quotations from no fewer than three persons customarily providing such goods or services and, if deemed appropriate, to inquire as to the qualifications and experience of such persons. However, it is in the best interest of the County to exempt this agreement.

As way of background, the Department is required to demonstrate to the American Correction Association ("ACA") that the Department is compliant with all current standards of the ACA Performance-Based Standards for Adult Local Detention Facilities 4th Edition & 2016 Supplement ("ALDF" or "Standards") in order to maintain status as an accredited agency.

The Standards require the Department, through a qualified source, to conduct and document certain measurements that read and test the quality of lighting, air ventilation, and

noise in facilities. Documentation of compliance is required to be kept current at all times, and is reviewed by the ACA at least once per three-year accreditation period. The Department has entered into similar contracts in the past with Pro Safety Services LLC, for similar services. The previous two years of compliance documentation, during the Department's current three-year accreditation period from October 2020 through September 2023, has been conducted by Pro Safety Services LLC. Pro Safety Services LLC has provided exceptional services to the Department dating back to 2008 in the provision of the aforementioned service. Due to Pro Safety Services LLC's experience within the County for providing safety and compliance services to the County, as well as Pro Safety Services LLC's willingness to comply with all security provisions required by the nature of Department's operation, the Department believes it to be in the best interest of the County to continue to utilize Pro Safety Services LLC in the provision of the required services, and that it is in the best interest of the County to exempt this agreement from the Policy. The continuation will not only demonstrate consistency, clarity, and continuity to the ACA, but it will also help ensure the health, safety, and security of all persons present at the Department's facilities.

Pursuant to Section 3(a)xxi thereof, the Policy is not applicable to any procurement for which this Board determines, by resolution passed prior to commencing such procurement, that compliance with the Policy would not be in the best interest of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of this Agreement from the Policy.

Accordingly, a Resolution to exempt the procurement of an agreement with Pro Safety Services LLC is hereby submitted for your Honorable Board's consideration.

JKS/RP/mb
Attachment

RESOLUTION

Based upon a communication from the Commissioner of Correction, be it hereby

RESOLVED, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of "soliciting written or oral price quotations, is neither cost effective nor expedient, and accordingly, not in the best interest of the County of Westchester in connection with the procurement of an agreement with Pro Safety Services LLC, for the provision of providing a noise, light, and ventilation survey of the Westchester County Department of Correction facilities located in Valhalla, New York.

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/31/2022 - JOAN COCCARDI, SECRETARY