

110351

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Lisa Denig
Commissioner of Human Resources

DATE: January 24, 2025

SUBJECT: Resolution authorizing the County of Westchester to enter into an agreement with the Scarsdale Union Free School District pursuant to which the Scarsdale Union Free School District will grant the County a permit to use up to 20 classrooms at Scarsdale High School on March 1, 2025 to administer civil service exams for a total fee of \$6,340.

The County of Westchester, acting by and through its Department of Human Resources (the "Department"), is requesting authority to enter into an agreement with the Scarsdale Union Free School District (the "District") pursuant to which the District will grant to the County a permit to use up to 20 classrooms at Scarsdale High School on March 1, 2025 to administer civil service exams (the "Agreement"). In consideration for the grant of permit, the County shall pay the District a fee of \$6,340.

Pursuant to the terms of the Agreement, the County will also agree to "defend, indemnify and hold harmless the District from and against any and all liability, loss, damages, claims or actions (including costs and attorney's fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in any way connected with the actual or proposed use of the District's property, facilities and/or services, including but not limited to bodily injury to any employee, invitee, guest, contractor or subcontractor of the above named organization. He/she on behalf of the above named organization understands and agrees that its use of the District's property and facilities includes, but is not limited to, all areas identified in the application and/or permit and sidewalks, walkways, parking lots, entrances, stairs and all other areas incidental to and/or connected with the use of the premises (hereinafter referred to as 'incidental areas'). He/she on behalf of the above-named organization agrees that its indemnity and insurance obligations extend to the areas identified in the application and/or permit and any incidental areas."

The Agreement is in the County's best interest because the exam process assists in selection of fit employees to serve our constituents. The goals and objectives of the agreement are to

conduct examinations to help fill job openings in an equitable fashion. The Agreement's progress shall be tracked through direct supervision by the Department.

This Agreement is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

LD/KMV/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/30/2025 - RAYMOND SCULKY, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester ("County"), acting by and through its Department of Human Resources (the "Department"), is hereby authorized to enter into an agreement with the Scarsdale Union Free School District (the "District") pursuant to which the District will grant the County a permit to use up to 20 classrooms at Scarsdale High School on March 1, 2025 to administer civil service exams for a total fee of \$6,340 (the "Agreement"); and be it further

RESOLVED, that pursuant to the terms of the Agreement, the County will also agree to "defend, indemnify and hold harmless the District from and against any and all liability, loss, damages, claims or actions (including costs and attorney's fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in any way connected with the actual or proposed use of the District's property, facilities and/or services, including but not limited to bodily injury to any employee, invitee, guest, contractor or subcontractor of the above named organization. He/she on behalf of the above named organization understands and agrees that its use of the District's property and facilities includes, but is not limited to, all areas identified in the application and/or permit and sidewalks, walkways, parking lots, entrances, stairs and all other areas incidental to and/or connected with the use of the premises (hereinafter referred to as 'incidental areas'). He/she on behalf of the above-named organization agrees that its indemnity and insurance obligations extend to the areas identified in the application and/or permit and any incidental areas"; and be it further

RESOLVED, that this contract is also subject to County Appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate the Agreement upon reasonable prior written notice; 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	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
101	12	6010	4909			\$6,340.00

Budget Funding Year(s) 2025 Start Date 03/01/2025 End Date 03/01/2025
 (must match resolution)

Funding Source Tax Dollars \$6,340
 State Aid _____
\$6,340 Federal Aid _____
 (must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/30/2025 - RAYMOND SCULKY, SECRETARY