



Memorandum
Office of Weights and Measures –
Consumer Protection

#102527

Date: June 28, 2023

To: Honorable Board of Acquisition and Contract

From: James Maisano
Director

Re: Resolution to exempt from the Westchester County Procurement Policy pursuant to Section 3(a)xxi thereof, the procurement of an Agreement with John Gaccione pursuant to which Mr. Gaccione will serve as a consultant to the Westchester County Office of Weights and Measures – Consumer Protection

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures (the “Policy”), pursuant to Section 3(a)xxi thereof, the procurement of an agreement with John Gaccione, pursuant to which Mr. Gaccione will serve as a consultant to the Westchester County Office of Weights and Measures – Consumer Protection (the “Office”), for a term commencing on July 1, 2023 and continuing through June 30, 2024 for an amount not-to-exceed \$35,000.00, payable at the rate of \$90.00/hour.

Ordinarily, pursuant to Section 5(b) of the Policy, the County is required to “solicit written 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, Mr. Gaccione previously served as Deputy Director of Weight & Measures for six years and as Director of Weights & Measures and Deputy Director of Consumer Protection for sixteen years. As such, he has a wealth of historical and institutional knowledge of the Office and its inner workings, as well as vast experience in the field of consumer protection.

Pursuant to Section 3(a)xxi, the Policy is not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. Based upon the foregoing, it is proposed that the best interests of the County would be served by exempting this agreement from the procedures of the County’s Procurement Policy. A resolution to exempt the procurement of this agreement from procurement is hereby submitted for your consideration.

JM/jpg/nn
Attachment

RESOLUTION

Upon a communication from the Director of the Office of Consumer Protection, 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 price quotations, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the with the procurement of an agreement with John Gaccione to serve as a consultant to the Office of Weight and Measures - Consumer Protection, for a term commencing on July 1, 2023 and continuing through June 30, 2024 for an amount not-to-exceed \$35,000.00, payable at the rate of \$90.00 per hour.

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/07/2023 - RAYMOND SULLIVAN, SECRETARY