



Memorandum
Department of Public Works and Transportation

111075

DATE: May 5, 2025

TO: Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner, Department of Public Works and Transportation

RE: Authority for the County of Westchester to enter into an agreement with New York State Industries for the Disabled, Inc., pursuant to which it will provide janitorial services for the facility at 450 Saw Mill River Road in Ardsley, New York for the period from April 1, 2025 through March 31, 2030, for a total amount not-to-exceed \$533,619.11 (Contract No. 24-208).

Authority is respectfully requested from your Honorable Board for the County of Westchester (the "County") to enter into an agreement with New York State Industries for the Disabled, Inc. ("NYSID"), pursuant to which NYSID will provide janitorial services for the facility at 450 Saw Mill River Road (the "Premises") in Ardsley, New York (the "Services"), for the period from April 1, 2025 through March 31, 2030, for a total amount not-to-exceed \$533,619.11, payable pursuant to an approved budget, and comprised of an amount not-to-exceed \$518,060.59 based on current pricing, as approved by the New York State Office of General Services ("OGS"), with an additional authorized spending amount not-to-exceed \$15,558.52 for future increases in prevailing wage rates (the "Agreement").

Under the proposed Agreement, NYSID would be authorized to utilize Jawonio, Inc. ("Jawonio") for all of the Services to be provided under the Agreement.

Pursuant to New York State Finance Law §162 ("State Finance Law §162"), the procurement of certain commodities and services is exempted from competitive procurement provisions and the County is required to give designated preferred sources an opportunity to provide those commodities or services. Among the services subject to this exemption is the Services, for which NYSID is the only preferred source.¹

In accordance with and pursuant to State Finance Law §162, the County notified NYSID that the County was seeking to procure the Services, and NYSID submitted a response. In its response, NYSID, within the ten (10) day timeframe provided under State Finance Law §162,

¹ Under the "List of Preferred Source Offerings" from OGS, the Services arguably subsume not just "Janitorial", but also "Floor Maintenance", "Carpet Cleaning", and "Window Blind Cleaning". NYSID is also the only preferred source for each of these other services.

notified the County of its intent to provide the Services, and do so in the “form, function and utility” required by the County. In accordance with State Finance Law §162, the County reviewed the information provided by NYSID and determined that NYSID can provide the Services in the “form, function and utility” required by the County.

NYSID is a not-for-profit corporation established in 1975, which has been appointed by the New York State Commissioner of Education to facilitate orders on behalf of its member preferred source agencies serving disabled persons. Jawonio is such a member of NYSID.

Under State Finance Law §162, the County must utilize a preferred source such as NYSID as long as its price for the Services is reasonable and does not exceed by more than fifteen percent (15%) the fair market price for the Services that has been determined by the Commissioner of OGS. By a letter dated April 17, 2025, OGS provided its approval for NYSID’s pricing.

Accordingly, the County is seeking authority to enter into the proposed Agreement. In addition, the County requests that NYSID not be required provide a Performance and Payment Bond, as NYSID has satisfactorily provided services to the County for a number of years.

The proposed Agreement will serve a public purpose by providing the Services that the County needs in order to keep the Premises in a clean and sanitary condition.

The goal and objective of the proposed Agreement is to provide the Services that the County needs in order to keep the Premises in a clean and sanitary condition.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of public health and welfare, as providing the Services that the County needs in order to keep the Premises in a clean and sanitary condition is intended to ultimately support the health and safety of all persons who visit the Premises.

The goal and objective of the proposed Agreement will be tracked and monitored by the staff of the Department of Public Works and Transportation.

I respectfully recommend approval of the attached resolution.

HJG/IB/bdm/nn

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, be it hereby:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement (the "Agreement") with New York State Industries for the Disabled, Inc. ("NYSID"), pursuant to which NYSID will provide janitorial services for the facility at 450 Saw Mill River Road in Ardsley, New York (the "Services"), for the period from April 1, 2025 through March 31, 2030, for a total amount not-to-exceed \$533,619.11, payable pursuant to an approved budget, and comprised of an amount not-to-exceed \$518,060.59 based on current pricing, as approved by the New York State Office of General Services, with an additional authorized spending amount not-to-exceed \$15,558.52 for future increases in prevailing wage rates; and be it further

RESOLVED, that NYSID is hereby authorized to utilize Jawonio, Inc. for all of the Services to be provided under the Agreement; and be it further

RESOLVED, that NYSID will not be required to provide a Performance and Payment Bond; and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED, that the Agreement is also subject to further financial analysis of the impact of the New York State Budget ("State Budget") proposed and adopted during the term of the contracts. The Agreement shall contain a provision that 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 the 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 State Budget on County finances. After such analysis, the County shall retain the right to either terminate the 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 duly authorized designee is hereby, authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited:

Contract No. 24-208

| FY | Fund | Dept. | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars |
|------|------|-------|---|--------------------------|------------------|--------------|
| 2025 | 101 | 46 | 3300-3370 | 4380 | | \$78,909.66 |
| 2026 | 101 | 46 | 3300-3370 | 4380 | | \$105,747.49 |
| 2027 | 101 | 46 | 3300-3370 | 4380 | | \$106,490.79 |
| 2028 | 101 | 46 | 3300-3370 | 4380 | | \$107,278.03 |
| 2029 | 101 | 46 | 3300-3370 | 4380 | | \$108,112.43 |
| 2030 | 101 | 46 | 3300-3370 | 4380 | | \$27,081.01 |

Budget Funding Year(s): 2025-30
(must match resolution)

Start Date: 04/01/25

End Date: 03/31/30

Funding Source
\$533,619.11

(must match resolution)

Tax Dollars: \$533,619.11

State Aid: _____

Federal Aid: _____

Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/15/2025 - RAYMOND SCULLEY, SECRETARY