

**111200**

DATE: May 20, 2025

TO: The Honorable Board of Acquisition and Contract

FROM: Sherlita Amler, M.D.  
Commissioner of Health

RE: Authority for the County of Westchester to amend a resolution approved on April 3, 2025 which, *inter alia*, authorized a three-party Lead Remediation Agreement with 48-52 South 2<sup>nd</sup> Avenue LLC, the Participant, and Altavista Lead Improvement Inc., the Contractor, pursuant to which the Contractor would perform lead remediation services on Participant's property located at 52 South Second Avenue, Apt 3C, Mount Vernon, NY 10550 in accordance the New York State Leading in Lead Prevention Pilot Program for the period commencing upon execution of the agreement between all parties and continuing through March 31, 2026 in an amount not-to-exceed \$49,850, in order to: (i) increase the not-to-exceed amount authorized thereunder by an additional \$37,000.00, from \$49,850.00 to \$86,850.00; and (ii) change the Contractor from Altavista Lead Improvement Inc., to Lead Professionals, Inc.

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By resolution approved on April 3, 2025 (the "April 3<sup>rd</sup> Resolution"), your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Health (the "Department") to, *inter alia*, enter into a three-party Lead Remediation Agreement (the "LRA") with 48-52 South 2<sup>nd</sup> Avenue LLC (the "Participant") and Altavista Lead Improvement Inc. (the "Contractor"), pursuant to which the Contractor would perform lead remediation services (the "Services") on Participant's property located at 52 South Second Avenue, Apt 3C, Mount Vernon, NY 10550 (the "Property"), in accordance with New York State's Leading in Lead Prevention Pilot Program (the "Program"), for the period commencing upon execution of the agreement between all parties and continuing through March 31<sup>st</sup>, 2026, in an amount not-to-exceed \$49,850.00. The LRA has not yet been executed.

Due to a dispute between the Participant and the Contractor, the Contractor rescinded its bid. The Department then awarded the contract to the second lowest bidder, Lead Professionals, Inc., in an amount not-to-exceed of \$86,850.00, pursuant to an approved budget.

In order to reflect the change in the contract price and the name of the contractor, it will be necessary to amend the April 3<sup>rd</sup> Resolution. Accordingly, authority is respectfully requested to amend the April 3<sup>rd</sup> Resolution, in order to: (i) increase the not-to-exceed amount authorized thereunder by an additional \$37,000.00, from \$49,850.00 to \$86,850.00; and (ii) change the Contractor from Altavista Lead Improvement Inc., to Lead Professionals, Inc.

Except as otherwise specifically amended hereby, all remaining terms and conditions of the April 3<sup>rd</sup> Resolution shall remain in full force and effect upon the parties.

It should be noted that although the total cost of the Services will now be \$86,850, the County will only be responsible for paying the Contractor an amount not-to-exceed \$40,000.00, pursuant to an approved budget, which is the maximum reimbursable amount allowable per project under the Program. The Participant will be financially responsible for paying the \$46,850.00 balance of the cost directly to the Contractor, prior to the commencement of Services.

The goals and objectives of the LRA are to remediate lead hazards in rental units located in communities of concern in Westchester County.

Accordingly, authority is respectfully requested from your Honorable Board for the County to amend the April 3<sup>rd</sup> Resolution as aforesaid.

SA/jpg/nn  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/29/2025 - RAYMOND SCULKY, SECRETARY

## RESOLUTION

Upon a communication from the Commissioner of Health, it is hereby

**RESOLVED**, that the resolution approved on April 3, 2025 (the “April 3<sup>rd</sup> Resolution”), which authorized the County of Westchester (the “County”), acting by and through its Department of Health (the “Department”) to, *inter alia*, enter into a three-party Lead Remediation Agreement (the “LRA”) with 48-52 South 2<sup>nd</sup> Avenue LLC (the “Participant”) and Altavista Lead Improvement Inc. (the “Contractor”), pursuant to which the Contractor would perform lead remediation services (the “Services”) on Participant’s property located at 52 South Second Avenue, Apt 3C, Mount Vernon, NY 10550 (the “Property”), in accordance with New York State’s Leading in Lead Prevention Pilot Program (the “Program”), for the period commencing upon execution of the agreement between all parties and continuing through March 31<sup>st</sup>, 2026, in an amount not-to-exceed \$49,850.00, is hereby amended in order to: (i) increase the not-to-exceed amount authorized thereunder by an additional \$37,000.00, from \$49,850.00 to \$86,850.00; and (ii) change the Contractor from Altavista Lead Improvement Inc., to Lead Professionals, Inc.; and be it further

**RESOLVED**, that although the total cost of the Services will now be \$86,850, the County will only be responsible for paying the Contractor an amount not-to-exceed \$40,000.00, pursuant to an approved budget, which is the maximum reimbursable amount allowable per project under the Program. The Participant will be financially responsible for paying the \$46,850.00 balance of the cost directly to the Contractor, prior to the commencement of Services; and be it further

**RESOLVED**, that except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the April 3<sup>rd</sup> Resolution shall remain in full force and effect upon the parties; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
263	27	Z086	4380	G086	\$37,000

Budget Funding Year(s)  
(must match resolution) 2024-2026 Start Date Upon Execution End Date 03/31/2026

Funding Source	Tax Dollars	
	State Aid	Housing Trust Fund Corporation, by & Through
		NYS Homes & Community Renewals
<b>\$37,000</b>	Federal Aid	
(must match resolution)	Other	

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/29/2025 - RAYMOND SCULLY, SECRETARY