



Vedat Gashi  
Chairman,  
Westchester County  
Board of Legislators

## OnBase ID #109903

DATE: October 31, 2024

TO: The Honorable Board of Acquisition and Contract

FROM: Honorable Vedat Gashi  
Chairman, Westchester County Board of Legislators

SUBJECT: Requesting authority to exercise the first option under an agreement with PKF O'Connor Davies, LLP, pursuant to which it was to provide the Board of Legislators with an analytical review of, and preliminary findings and recommendations on, and then a final report with findings and recommendations on the proposed County budget, in order to extend its term by one (1) year, through November 9, 2025, for an amount not-to-exceed \$176,000.00, for the services to be provided during that option year.

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By a resolution approved on October 19, 2023, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Board of Legislators (the "Board"), to enter into an agreement (the "Agreement") with PKF O'Connor Davies, LLP ("PKFOD"), pursuant to which PKFOD was to provide the Board with an analytical review of, and preliminary findings and recommendations on, and then a final report with findings and recommendations on, the proposed County budget, for a term from November 10, 2023 through November 9, 2024 (the "Initial Term"), for a flat fee of \$172,000.00 for the Initial Term, with the County having the option, in its sole discretion, to extend the term of the Agreement for up to two (2) additional one (1) year periods (each an "Option Term"), for a flat fee of \$176,000.00 for the first Option Term and a flat fee of \$180,000.00 for the second Option Term, and otherwise on the same terms and conditions as the Initial Term. Under the Agreement, during the Initial Term and any Option Term, PKFOD shall be paid seventy-five percent (75%) of that term's flat fee upon completion of that year's field work and be paid twenty-five percent (25%) of that term's flat fee upon submission of that year's final report to the Board of Legislators and a presentation to the Board's Budget and Appropriations Committee regarding the final report. The Agreement was subsequently executed.

The Board continues to require the services that have been provided by PKFOD under the Agreement. Therefore, the County respectfully requests authority from your Honorable Board for the County to exercise its first option under the Agreement and, accordingly, amend the Agreement in order to, 1.) extend its term by one (1) year, to a new termination date of November 9, 2025, 2.) increase its not-to-exceed amount by \$176,000.00, to a new total amount not-to-exceed \$348,000.00, to pay for services during the first Option Term, and 3.) reflect the fact that the County will have one (1) additional one (1) year option remaining (the "First Amendment").

Except as specifically described above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed First Amendment will serve a public purpose by continuing to provide the Board with assistance in reviewing and analyzing the proposed County budget.

The goal and objective of the proposed First Amendment is to continue to provide the Board with assistance in reviewing and analyzing the proposed County budget.

The goal and objective of the proposed First Amendment is in the best interests of the County in terms of fiscal responsibility, as it will continue to provide the Board with assistance in reviewing and analyzing the proposed County budget and thereby enable the Board to make prudent and informed decisions regarding the County budget.

The goal and objective of the proposed First Amendment will be tracked and monitored by the staff of the Board.

I respectfully recommend the adoption of the attached resolution.

VG/GC/bdm/nr

## **RESOLUTION**

Upon a communication from the Chairman of the Westchester County Board of Legislators, be it hereby:

**RESOLVED**, that the County of Westchester (the "County"), acting by and through its Board of Legislators (the "Board"), is hereby authorized to exercise its first option under an agreement with PKF O'Connor Davies, LLP ("PKFOD"), pursuant to which PKFOD was to provide the Board with an analytical review of, and preliminary findings and recommendations on, and then a final report with findings and recommendations on, the proposed County budget, for a term from November 10, 2023 through November 9, 2024 (the "Initial Term"), for a flat fee of \$172,000.00 for the Initial Term, with the County having the option, in its sole discretion, to extend the term of the Agreement for up to two (2) additional one (1) year periods (each an "Option Term"), for a flat fee of \$176,000.00 for the first Option Term and a flat fee of \$180,000.00 for the second Option Term, and otherwise on the same terms and conditions as the Initial Term, (the "Agreement") and therefore amend the Agreement in order to, 1.) extend its term by one (1) year, to a new termination date of November 9, 2025, 2.) increase its not-to-exceed amount by \$176,000.00, to a new total amount not-to-exceed \$348,000.00, to pay for services during the first Option Term, and 3.) reflect the fact that the County will have one (1) additional one (1) year option remaining; and be it further

**RESOLVED**, that except as specifically hereby authorized to be amended, all terms and conditions of the Agreement shall remain in full force and effect; and be it further

**RESOLVED**, that the Chairman of the Westchester County Board of Legislators, or his authorized designee, is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this resolution.

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Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Sub-unit	Object/ Sub-Object	Amount
2024	101	10	1000		4380	\$176,000.00

Budget Funding Year(s)  
(must match resolution)

Start Date 1/1/24

End Date 12/31/24

Funding Source

Tax Dollars \$176,000.00

State Aid \_\_\_\_\_

\$176,000.00

Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/07/2024 - RAYMOND SCULKY, SECRETARY