



Memorandum
Office of the County Executive

102774

Date: August 7, 2023

To: The Honorable Board of Acquisition and Contract

From: Honorable George Latimer
Westchester County Executive

Re: Authority to amend a "short-form" contract with Unique Affairs at the Davenport Club Corp., for the provision of catering and special event services for a term commencing on January 1, 2023 and continuing through December 31, 2023, for an amount not to exceed Thirty-Five Thousand (\$35,000.00) Dollars, in order to (1) increase the not-to-exceed amount to Sixty Thousand (\$60,000.00) Dollars, pursuant to approved budget / rates, and (2) replace the current budget / rates to reflect the new not-to-exceed amount.

On or about January 12, 2023, the County of Westchester ("County") entered into a "short-form" contract with Unique Affairs at the Davenport Club Corp., ("Unique Affairs") for the provision of catering and special event services for the County Executive's office for a term commencing on January 1, 2023 and continuing through December 31, 2023, for an amount not to exceed Thirty-Five Thousand Dollars (\$35,000.00), pursuant to approved rates (the "Agreement").

Although the Agreement had a not-to-exceed cap of \$35,000.00, due to an administrative oversight, the County continued to order catering and special event services from Unique Affairs pursuant to the Agreement, the cost of which has exceeded the not-to-exceed amount of \$35,000.00. Additionally, the County wishes Unique Affairs to continue to provide services for the remainder of the term of the Agreement. In order to compensate Unique Affairs for additional services rendered and for additional services to be provided through the end of the term, the County wishes to enter into a first amendment that will (1) increase the not-to-exceed amount to Sixty Thousand (\$60,000.00) Dollars, pursuant to an approved budget / rates, and (2) replace the current budget / rates to reflect the new not-to-exceed amount.

As your Honorable Board is aware, amendments to “short-form” contracts that result in increases which exceed the \$35,000.00 threshold for “short-form” contracts and/or term extensions beyond the one (1) year threshold, must first be approved by your Honorable Board. As such, since the not-to-exceed amount of the Agreement will now exceed the \$35,000.00 threshold, the authority of your Honorable Board is required.

Attached for your consideration is a Resolution which, if approved by your Honorable Board, would authorize the County, acting by and through its Office of the County Executive, to enter into a first amendment to the Agreement (the “First Amendment”) with Unique Affairs in order to (1) increase the not-to-exceed amount to Sixty Thousand (\$60,000.00) Dollars, pursuant to approved budget / rates, and (2) replace the current budget / rates to reflect the new not-to-exceed amount.

In accordance with Section 5 of the Westchester County Procurement Policy and Procedures (“the Policy”), the County previously obtained three quotes from three (3) establishments, in which Unique Affairs was the only establishment that was able to offer a quote and provide services requested.

Except as otherwise specifically amended hereby, all other terms and conditions of the Agreement will remain in full force and effect.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

GL/FA/mb
Attachment

RESOLUTION

Upon a communication from the Westchester County Executive, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to enter into a first amendment to a “short form” agreement with Unique Affairs at the Davenport Club Corp., for the provision of catering and special event services for a term commencing on January 1, 2023 and continuing through December 31, 2023, for an amount not to exceed Thirty-Five Thousand (\$35,000.00) Dollars (the “Agreement”), in order to (1) increase the not-to-exceed amount by Twenty-Five Thousand (**\$25,000.00**) Dollars, from Thirty-Five Thousand (\$35,000.00) Dollars, to a new not-to-exceed amount of Sixty Thousand (\$60,000.00) Dollars, pursuant to approved budget / rates, and (2) replace the current budget / rates to reflect the new not-to-exceed amount.

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

RESOLVED, that the County Attorney or his duly appointed designee be, and hereby is, authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	11	0100	4380		\$25,000.00

Budget Funding Year(s) 2023 Start Date January 1 End Date December 31
(must match resolution)

Funding Source Tax Dollars \$25,000.00

State Aid _____

\$ \$25,000 Federal Aid _____

(must match resolution)

Other _____