

101161

May 9, 2023

To: Honorable Members of the Board of Acquisition and Contract

From: Joseph K. Spano
Commissioner of Correction

Re: Authority for the County of Westchester to enter into a sixth amendment to an agreement with Aramark Correctional Services, Inc. to provide food service at the Westchester County Department of Correction, in order to increase the not to exceed amount for 2022 from \$1,791,393.00 to \$2,151,918.00, an increase of \$360,525.00.

On January 3, 2019, your Honorable Board authorized the County of Westchester ("County") to enter into an agreement with Aramark Correctional Services, Inc. ("Aramark") to provide food service at the Westchester County Department of Correction ("DOC") for the period from January 1, 2019 through December 31, 2020, at a cost not to exceed \$4,589,198.00, payable at specified per meal rates, with the County's sole option to renew the agreement for up to three (3) additional one (1) year terms ("Agreement").

On December 12, 2019, your Honorable Board authorized the County to amend the Agreement in order to modify it with regard to the Catering Fund, Financial Commitment, and Indemnification provisions.

On April 23, 2020, your Honorable Board authorized the County to enter into a second amendment to the Agreement in order to provide that effective February 13, 2020, Aramark would be paid at a maximum price per meal based on an inmate population of 600-650.

On December 3, 2020, your Honorable Board authorized the County to enter into a third amendment to the Agreement in order to exercise the first renewal option for the period from January 1, 2021 through December 31, 2021, and increase the aggregate amount of the agreement by \$2,130,867.00 from an amount not to exceed \$4,589,198.00 to an amount not to exceed \$6,720,065.00.

On January 20, 2022, your Honorable Board authorized the County to enter into a fourth amendment to the Agreement in order to exercise the second renewal option for the period from January 1, 2022 through December 31, 2022, and increase the aggregate amount of the agreement

by \$1,791,393.00 from an amount not to exceed \$6,720,065.00 to an amount not to exceed \$8,511,458.00.

On February 16, 2023, your Honorable Board authorized the County to enter into a fifth amendment to the Agreement in order to exercise the third and final renewal option for the period from January 1, 2023 through December 31, 2023, and increase the aggregate amount of the agreement by \$2,291,110.00 from an amount not to exceed \$8,511,458.00 to an amount not to exceed \$10,802,568.00.

Authority is now requested for the County to enter into a sixth amendment to the Agreement, in order to increase the not to exceed amount for 2022 from \$1,791,393.00 to \$2,151,918.00, an increase of \$360,525.00, payable at the rates specified in the agreement. The increase is required due to the unanticipated increase in COVID-19 staff meals and inmate bags/postage in 2022. All remaining terms and conditions of the Agreement, as amended, will remain unchanged.

I believe that the proposed amendment is in the County's best interest and therefore recommend approval of the attached Resolution.

JKS/DLV/dv

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/01/2023 RAYMOND S. JONES SECRETARY

RESOLUTION

Based on a communication from the Commissioner of Correction, be it hereby

RESOLVED, that the County of Westchester is authorized to enter into a sixth amendment to an agreement with Aramark Correctional Services, Inc. to provide food service at the Westchester County Department of Correction, in order to increase the not to exceed amount for 2022 from \$1,791,393.00 to \$2,151,918.00, an increase of \$360,525.00, payable at the rates specified in the agreement; and be it further

RESOLVED, that all remaining terms and conditions of the agreement, as amended, shall remain unchanged; and be it further

RESOLVED, that the County Executive or his designee is authorized to execute any instruments and take any actions reasonably necessary to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	35	1000	4380		\$360,525

Budget Funding Year(s) 2022 Start Date 1/1/22 End Date 12/31/22
(must match resolution)

Funding Source Tax Dollars \$360,525.00
State Aid _____
\$ 360,525.00 Federal Aid _____
(must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/01/2023 - RAYMOND SCULKY, SECRETARY