

October 25, 2018

COMMUNITY ENRICHMENT COMMITTEE  
REPORT NO. 7

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.  
CHAIR SAVAGE PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 13M-1 (2018)  
**VISIT BUFFALO NIAGARA:** “2018 Quarterly Reports”  
(Chair’s ruling)
  - b. COMM. 13M-7 (2018)  
**BUFFALO & EC PUBLIC LIBRARY:** “Agenda Items for Board of Trustees Meeting Held June 21, 2018”  
(Chair’s ruling)
  - c. COMM. 16E-3 (2018)  
**COMPROLLER:** “SUNY ECC Audited Financial Statements & Management Letter for Fiscal Year Ended August 31, 2017”  
(Chair’s ruling)
  - d. COMM. 16M-2 (2018)  
**MICHAEL B. RISMAN, HODGSON RUSS LLP:** “Consent to Donation of Gethsemane Cemetery”  
(Chair’s ruling)
  - e. COMM. 16M-5 (2018)  
**VISIT BUFFALO NIAGARA:** “Second Quarter Reports for Period Ending June 30, 2018”  
(Chair’s ruling)
  - f. COMM. 17M-1 (2018)  
**BUFFALO & EC PUBLIC LIBRARY:** “Agenda for Board of Trustees Meeting to be Held 9/20/18, and Minutes of Meeting Held 7/19/18”  
(Chair’s ruling)
  - g. COMM. 19M-6 (2018)  
**BUFFALO & EC PUBLIC LIBRARY BOARD OF TRUSTEES:** “Proposed Agenda for Meeting to be Held October 18, 2018”  
(Chair’s ruling)

2. COMM. 19E-9 (2018)  
**COUNTY EXECUTIVE**

WHEREAS, as noted in the SUNY Erie Professional Services and Specialized Products RFP Policy, professional services or specialized products in excess of \$50,000 in addition to being subject to the formal RFP process and requiring the approval of the college’s Board of Trustees, also require the approval of the Erie County Legislature. These approvals are required prior to the hiring of the professional or purchase of the product; and

WHEREAS, the determination of whether the professional service or specialized product exemption for bidding is applicable must be made on a case-by-case basis, examining the particular services or goods needed. Generally professional services include the specialized expertise of interpreters, consultants, lawyers, doctors, engineers and so forth. Specialized products include but are not limited to software and other technology related products; and

WHEREAS, the goals of the chosen vendor's software and services are to centralize accreditation services at the college, to build a consistent data warehouse that is used by all of its units and standardizes data at the college, and to improve the college's assessment efforts as required by its accrediting agency the Middle States Commission on Higher Education; and

WHEREAS, on July 27, 2017, the Erie County Legislature resolved that the college was approved to award a software license agreement to Nuventive, LLC as the vendor for a maximum contract not to exceed \$87,800 in Year One of the contract (including one-time implementation costs) and \$55,200 in Years Two and Three; and

WHEREAS, in order to facilitate better management of data-based action planning, SUNY Erie has identified changes included in an addendum to the existing software license agreement that will facilitate the delivery of unit-specific data to improve the college’s planning and assessment system and deliver actionable and relevant data to units; and

WHEREAS, the proposed addendum amends and supplements the software license agreement with the requested module in Years Two and Three and through the new Year Four for a total annual maximum cost of \$63,200; and

WHEREAS, the addendum amends and supplements the software license agreement in the Year Two and includes an additional pro-rated amount of \$512.93 for the delivery of services during the last month of Year One; and

WHEREAS, SUNY Erie has budgeted funds available to pay for this expenditure; and

WHEREAS, at its May 31, 2018 meeting, the SUNY Erie Board of Trustees approved the addendum to the software license agreement and on September 27, 2018 also approved seeking Erie County Legislature approval of the same addendum.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie does hereby approve to amend the award for the addendum to the software license agreement with Nuventive, LLC to allow SUNY Erie to enter into a maximum four-year contract cost of \$277,912.93 for an increase of \$87,712.93; and be it further

RESOLVED, that the County of Erie does hereby approve to amend the award for the addendum to the software license agreement with Nuventive, LLC to allow SUNY Erie to make an additional payment for the prorated delivery of services during May through June of 2018 of \$512.93 and that this payment should be included in the Year Two payment at a total cost of \$63,712.93, with a Year 3 payment of \$63,200 and a Year 4 payment of \$63,200; and be it further

RESOLVED, that the SUNY Erie President or his designee is hereby approved to award the software license agreement addendum to Nuventive, LLC as outlined above.  
(5-0)

3. COMM. 19E-10 (2018)  
**COUNTY EXECUTIVE**

WHEREAS, as noted in the SUNY Erie Professional Services and Specialized Products RFP Policy, professional services or specialized products in excess of \$50,000 in addition to being subject to the formal RFP process and requiring the approval of the college's Board of Trustees, also require the approval of the Erie County Legislature. These approvals are required prior to the hiring of the professional or purchase of the product; and

WHEREAS, the determination of whether the professional service or specialized product exemption for bidding is applicable must be made on a case-by-case basis, examining the particular services or goods needed. Generally professional services include the specialized expertise of interpreters, consultants, lawyers, doctors, engineers and so forth. Specialized products include but are not limited to software and other technology related products; and

WHEREAS, Title II of the Americans with Disabilities Act prohibits discrimination against people with disabilities in state and local government (public) services and Section 504 of the 1973 Rehabilitation Act prohibits discrimination on the basis of disability in federally assisted programs; and

WHEREAS, as a reasonable accommodation, SUNY Erie's Student Access Centers provide American Sign Language (ASL) interpretation services for deaf and hard-of-hearing students and SUNY Erie's Human Resources department provides ASL interpretation for faculty and staff with the same needs; and interpretation services are provided in: classrooms and labs, meetings, convocation, graduation and at staff development activities; and

WHEREAS, interpretation services are already established to provide for students covered by the New York State Education Department of Adult Career and Continuing Education Services – Vocational Rehabilitation (ACCESS-VR) through another outside vendor and, through this proposed agreement with Deaf Access Services, the interpretation services would also be provided to additional students, faculty and staff who are not already covered by the state through ACCESS-VR; and

WHEREAS, the SUNY Erie Board of Trustees has approved a request for a three-year contract with the vendor Deaf Access Services with the option to renew for two one-year extensions with an annual expenditure of approximately \$50,000 to \$60,000 for students and an additional \$5,000 to \$10,000 for faculty and staff; and

WHEREAS, SUNY Erie has budgeted funds available to pay for this expenditure.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the SUNY Erie President or his designee to award the proposed Standard Agreement to Deaf Access Services as outlined above.  
(5-0)

**THOMAS A. LOUGHRAN**  
**CHAIR**