

**Department of Health**  
 145 Huguenot Street – 8<sup>th</sup> Floor  
 New Rochelle, N.Y. 10801

**11387**

TO: Board of Acquisition and Contract  
 FROM: Cheryl Archbald, MD MPH  
 Acting Commissioner of Health  
 DATE: May 11, 2010

RE: Authorization to Award Contracts for Transportation of Preschool Children with Special Needs to Alcott School – Scarsdale; Cerebral Palsy of Westchester - UCP; Easter Seals, NY – Project Explore; Easter Seals, NY – Project Imagine; Family Service of Westchester – Prime Time; Greenburgh Central School District #7 – Special Needs Pre-K; Guidance Center, Inc.; Hawthorne Foundation, Inc. – Hawthorne Country Day School; Mamaroneck UFSD - Special Needs Pre-K; Central Regional Zone; Thera Care Preschool Services – Harrison Children’s Center; Union Child Day Care Center – Stepping Stones

Westchester County is mandated by Section 4410, Part 200 of the New York State Education Law, and its subsequent amendments and Article 25, Title IIA of the New York State Public Health Law to provide for transportation to children under five years old with special needs.

On March 25, 2010, your Honorable Board authorized the Westchester County Department of Health (“WCDH”) to advertise for bids for contracts for transportation to the above-listed programs. The WCDH placed Legal Notices in the Gannett Journal News (all editions) and The Westchester Business Journal and posted the Bid Document on both Westchestergov.com and its own departmental website in an effort to increase the pool of potential bidders.

On April 21, 2010 the bids were received and opened. Despite the WCDH’s efforts, it received fewer than three (3) responses for the majority of bid packages; with most packages receiving only one (1) or two (2) bids. In an effort to control costs, the Department has included maximum allowable price guidelines for each bid package included in this bid and in all bids in recent years. While limiting the overall number of bids received, this has proven an effective strategy for maintaining costs.

The WCDH recommends that contracts be awarded to the lowest bidders (each lowest bidder has been determined to meet the bid specifications) for each package as outlined below. The bid sheets are attached.

<u>Package</u>	<u>Company</u>	<u>Not to Exceed Price - 1<sup>st</sup> Year</u>
1 Alcott School – Scarsdale	TLC Transportation Corp.	\$759,715.20
2 Cerebral Palsy of Westchester - UCP	Ardsley Bus, LLC	605,250.00
3 Easter Seals, NY – Project Explore	Ardsley Bus, LLC	583,515.00
4 Easter Seals, NY – Project Imagine	TLC Transportation Corp.	287,451.60
5 Family Service of Westchester – Prime Time	Ardsley Bus, LLC	671,250.00
6 Greenburgh Special School District #7 - Special Needs Pre-K	TLC Transportation Corp.	371,125.20
7 Guidance Center, Inc.	Ardsley Bus, LLC	297,450.00
8 Hawthorne Foundation, Inc. - Hawthorne Country Day School	All County Bus, LLC	778,470.00

<u>Package</u>	<u>Company</u>	<u>Not to Exceed Price - 1<sup>st</sup> Year</u>
9 Mamaroneck UFSD – Special Needs Pre-K	All County Bus, LLC	208,714.80
10 Thera Care Preschool Services – Harrison Children’s Center	Astra Transportation Corp.	228,657.90
11 Union Child Day Care Center – Stepping Stones	Astra Transportation Corp.	752,988.30
12 Central Regional Zone	Astra Transportation Corp.	796,340.70

The contracts will begin on September 1, 2010 and will end on August 31, 2015, subject to appropriations. Payments will be made on a per vehicle, per day basis. The not to exceed amounts incorporate the per vehicle prices bid for the first year of service, September 1, 2010 through August 31, 2011. Specific calculations are attached herein. For contract years two through five, the amount payable per vehicle shall be adjusted annually based on one hundred percent (100%) of the increase (but not the decrease) in the Consumer Price Index - Public Transportation based on data obtained from The United States Department of Labor’s U.S. Cities Average Series ID: CUUR0000SETG.

Performance security in the form of cash, certified check, irrevocable letter of credit, or performance bond is required. The minimum security required is outlined in the attached resolution.

The transportation services provided under these agreements will promote the public health, safety and welfare of approximately one thousand two hundred (1,200) Westchester County children with special needs by enabling daily participation in Special Needs programs through safe transportation. Last year, approximately 1,200 children with special needs were transported to Special Needs programs. The goals and objectives of these programs are to:

- provide appropriate services to children from birth to five years old with developmental disabilities and/or delays in accordance with their approved Individualized Education Plan (IEP) or Individualized Family Service Plan (IFSP);
- provide these services in the child’s least restrictive setting/natural setting through safe transportation.

Monitoring of the Transportation providers, as per the contract requirements, is accomplished through required County pre-approval on all bus routes prior to implementation, random County inspections to ensure provider vehicle safety and staff compliance to County policy, and accuracy of billing by monthly reviews of submitted documentation.

Approval of the attached resolution is respectfully requested.

CA/am  
Attachment

## RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to award contracts, subject to appropriations, to the following low bidders for transportation of preschool children with disabilities to the locations/regions listed below, for individual not to exceed amounts as listed; that payments will be made on a per vehicle basis for transportation to Alcott School – Scarsdale; Cerebral Palsy of Westchester - UCP; Easter Seals, NY – Project Explore; Easter Seals, NY – Project Imagine; Family Service of Westchester – Prime Time; Greenburgh Central School District #7 – Special Needs Pre-K; Guidance Center, Inc.; Hawthorne Foundation, Inc. – Hawthorne Country Day School; Mamaroneck UFSD - Special Needs Pre-K; Central Regional Zone; Thera Care Preschool Services – Harrison Children’s Center; Union Child Day Care Center – Stepping Stones; and that these transporters shall provide performance security in the form of bond, cash, certified check, irrevocable letter of credit or performance bond in the amount indicated:

<u>Package</u>	<u>Company</u>	<u>Not to Exceed Price – 1<sup>st</sup> Year</u>	<u>Security Amount</u>
1 Alcott School – Scarsdale	TLC Transportation Corp.	\$759,715.20	\$151,943.00
2 Cerebral Palsy of Westchester –UCP	Ardsley Bus, LLC	605,250.00	121,050.00
3 Easter Seals, NY – Project Explore	Ardsley Bus, LLC	583,515.00	116,703.00
4 Easter Seals, NY – Project Imagine	TLC Transportation Corp.	287,451.60	57,490.00
5 Family Service of Westchester – Prime Time	Ardsley Bus, LLC	671,250.00	134,250.00
6 Greenburgh CSD #7 – Special Needs Pre-K	TLC Transportation Corp.	371,125.20	74,225.00
7 Guidance Center, Inc.	Ardsley Bus, LLC	297,450.00	59,490.00
8 Hawthorne Foundation, Inc. – Hawthorne Country Day School	All County Bus, LLC	778,470.00	155,694.00
9 Mamaroneck UFSD – Special Needs Pre-K	All County Bus, LLC	208,714.80	41,742.00
10 Thera Care Preschool Services – Harrison Children’s Center	Astra Transportation Corp.	228,657.90	45,731.00
11 Union Child Day Care Center – Stepping Stones	Astra Transportation Corp.	752,988.30	150,597.00
12 Central Regional Zone	Astra Transportation Corp.	796,340.70	159,268.00;

and, be it further,

RESOLVED, that the term of the contracts shall be from September 1, 2010 to August 31, 2015, subject to County appropriations and a cost of living increase based on 100 percent (100%) of the increase in the Consumer Price Index - Public Transportation based on data obtained from The United States Department of Labor’s U.S. Cities Average Series ID: CUUR0000SETG shall be applied to contract years two through five; and, be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly appointed designee is authorized to execute said agreements on behalf of the County of Westchester.

Department of Health  
 County of Westchester  
 145 Huguenot Street, 8<sup>th</sup> Floor  
 New Rochelle, New York 10801  
 May 11, 2010

Agreement #

<u>Fund</u>	<u>Dept</u>	<u>Major Program, Program &amp; Phase or Unit</u>	<u>Object/Sub- object</u>	<u>Trust Account</u>	<u>Dollars</u>	<u>Budget Year</u>
101	27	2700	4539 01		\$1,739,226.24	2010
101	27	2700	4541 06		434,806.50	2010
101	27	2700	4539 01,02		3,333,516.72	2011
101	27	2700	4541 06		833,379.24	2011
101	27	2700	4539 01		1,820,917.00	2011
101	27	2700	4541 06		455,229.00	2011
101	27	2700	4539 01,02		3,490,091.00	2012
101	27	2700	4541 06		872,523.00	2012
101	27	2700	4539 01		1,906,446.00	2012
101	27	2700	4541 06		476,611.00	2012
101	27	2700	4539 01,02		3,654,020.00	2013
101	27	2700	4541 06		913,505.00	2013
101	27	2700	4539 01		1,995,991.00	2013
101	27	2700	4541 06		498,998.00	2013
101	27	2700	4539 01,02		3,825,649.00	2014
101	27	2700	4541 06		956,412.00	2014
101	27	2700	4539 01		2,089,742.00	2014
101	27	2700	4541 06		522,436.00	2014
101	27	2700	4539 01,02		4,005,339.00	2015
101	27	2700	4541 06		1,001,335.00	2015

Budget	2010-	Start	9/1/10	End date	8/31/15
Funding Years	2015	date			

Funding Source	Tax dollars	62%	\$ 21,592,227.70			
	State aid	38%	\$ 13,233,946.00			
\$ 34,826,173.70	Insurance	0%				
(must match resolution)	Medicaid					