

14900

DATE: October 25, 2010

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne, Chief Information Officer

RE: **AUTHORIZATION TO ENTER INTO CONTRACT IT-1180 WITH FOX RIDGE COMMUNICATIONS, INC., AND EVERGREEN TECHNICAL SERVICES, L.L.C. AS SUBCONTRACTOR, FOR CONSULTANT SERVICES FOR THE TERM JANUARY 1, 2011 THROUGH DECEMBER 31, 2012 IN THE NOT TO EXCEED CONTRACT AMOUNT OF \$20,000**

BACKGROUND:

- Since June of 2006, the County has contracted with Fox Ridge Communications, Inc. ("Fox Ridge") for consultant services to provide technical assistance and to examine candidate channels using all of the Federal Communication Commission ("FCC") required studies as well as to provide general FCC regulatory services. In 2009, Evergreen Technical Services, L.L.C ("Evergreen") was approved as a subcontractor to provide radio frequency (RF) safety measurement services as required by the FCC for the licenses we hold and to provide 700 MHz consulting services. The current contract will expire on December 31, 2010.

ACTION REQUESTED:

- Authorization is now requested for your Honorable Board to approve a contract (IT-1180) with Fox Ridge for general FCC regulatory consulting services for the term January 1, 2011 through December 31, 2012, in the not to exceed amount of \$20,000, payable pursuant to an approved budget, and the approval of Evergreen Technical Services, L.L.C., as subcontractor.
- This agreement serves a public purpose in that the services to be provided will support the County's efforts to build and maintain reliable and effective radio communication systems. Such systems are vital to the successful protection of life and property in the County, both on a day-to-day basis and during unusual events and emergency situations. These radio systems will ultimately promote the safety and general welfare of county residents by insuring communication services in the event of an emergency.
- The services requested in the attached resolution will improve and assist in the continued operation of the County's radio communications systems. Fox Ridge will assist the County of Westchester in acquiring and maintaining radio licenses from the FCC for the many systems that the County owns, operates and is in the process of building. This will help to maintain and improve the communications ability of the County, in particular for the Departments of Public Safety, Emergency Services and Transportation.

- Fox Ridge will supply regular progress reports via email, by project with details and timeline dates. The reports will detail the status of regulatory & licensing consulting work. When needed, the Department will conduct telephone conferences with Fox Ridge to discuss the progress and timeliness of each project.
- The proposed agreement with Fox Ridge will allow the Department to utilize efficient and knowledgeable service providers who are already familiar with the County's complex FCC licensing and regulatory compliance needs. Approval of this resolution will assure County continued regulatory compliance.
- By resolution of even date your Honorable Board, has exempted this procurement from the procedural requirements of the Westchester County Procurement policy pursuant to Section 3(a)xxi thereof.

A resolution authorizing a two-year agreement with Fox Ridge is submitted herewith for your approval.

MB/DI/me

APPROVED BOARD OF ACQUISITION & CONTRACT - 12-2-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE CHIEF INFORMATION OFFICER, DEPARTMENT OF INFORMATION TECHNOLOGY, BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to enter into Contract IT-1180 with Fox Ridge Communications, Inc., having an office and place of business at 122 Baltimore Street, Suite 200, Gettysburg, Pennsylvania 17325, for specialized technical consultant services for the County's radio systems, in the amount of \$20,000, payable pursuant to an approved budget, for the term commencing January 1, 2011 and terminating December 31, 2012; and be it further

RESOLVED, that Evergreen Technical Services, L.L.C. (Provider of Radio Frequency Safety Measurement Services), having an office located at 2306 Evergreen Street, Yorktown Heights, New York 10598, is hereby approved as a subcontractor; and be it further

RESOLVED, that this Agreement is subject to County appropriations; 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 authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes hereof.

Agreement # **IT-1180**

Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2011	101	38	6500	4420		\$10,000
2012	101	38	6500	4420		\$10,000

Budget Funding Year(s): 2011 & 2012

Start Date: January 1, 2011

End Date: December 31, 2012

Funding Source:

Tax Dollars: _____

State Aid _____

\$20,000

Federal Aid _____

(must match resolution)

Other: \$20,000 – Cell Phone Surcharge