

16018

DATE: December 14, 2010

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne, Chief Information Officer

RE: AUTHORIZATION TO EXTEND A LICENSE AGREEMENT (IT-781) WITH CABLEVISION LIGHTPATH, INC. FOR THE INSTALLATION AND MAINTENANCE OF A TELECOMMUNICATIONS "HUT" ON THE GRASSLANDS RESERVATION FOR FIVE YEARS TO A NEW TERMINATION DATE OF DECEMBER 31, 2015, AT NO COST TO THE COUNTY

BACKGROUND:

- On March 2, 2000, your Honorable Board approved a resolution which authorized entering into an agreement (IT-233) with Cablevision Lightpath, Inc. ("Lightpath") for the provision of full voice, video and data transmission services along a high speed telecommunications network over a five year term, with the County having the option to renew the agreement for two additional five year terms, at the same pricing, terms and conditions.
- In order to deliver the aforementioned services to facilities located on the Grasslands reservation in Valhalla, it was necessary for Cablevision Lightpath to construct a telecommunications "hut" on the Grasslands campus. Your Honorable Board authorized installation of that hut in a resolution which was approved on May 11, 2000 for a term commencing on June 1, 2000 and terminating March 1, 2005 (the "Hut Agreement").
- On April 1, 2005 your Honorable Board approved a resolution to extend the Hut Agreement with Lightpath to a new expiration date of December 31, 2005 in order to make it co-terminus with Contract IT-233.
- On November 3, 2005 your Honorable Board approved a resolution which authorized the renewal of Contract IT-233 with Lightpath for a five-year term commencing on January 1, 2006 and terminating on December 31, 2010. Accordingly, on March 16, 2006, your Honorable Board authorized a further extension to the Hut Agreement commencing on January 1, 2006 and terminating December 31, 2010.
- There is currently before your Honorable Board a resolution to renew Contract IT-233 with Lightpath for another five year term. Therefore, we now come before your Honorable Board requesting authorization to extend the Hut Agreement with Lightpath for the continued installation and maintenance of the "hut" at Grasslands until December 31, 2015, co-terminus with Contract IT-233 with Cablevision Lightpath, Inc., with the County having the right to terminate the Hut Agreement, at its sole discretion, upon thirty (30) days written notice.
- This contract is exempt from the policies and procedures of the procurement policy under Section 3(b).

ACTION REQUESTED:

- Authorization to extend a license agreement with Cablevision Lightpath, Inc., having an office and principal place of business located at 200 Jericho Quadrangle, Jericho, New York 11753, for the continued installation and maintenance of a telecommunications "hut" on the Grasslands reservation, for a five year term commencing on January 1, 2011 and terminating on December 31, 2015, at no cost to the County, with all other terms and conditions to remain the same.

MCB:TAD

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/22/2010 - 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 extend a license agreement (IT-781) with Cablevision Lightpath, Inc., having a principal place of business located at 200 Jericho Quadrangle, Jericho, New York 11753, for the installation and maintenance of a telecommunications "hut" on the Grasslands reservation in Valhalla, for a five year term commencing on January 1, 2011 and terminating on December 31, 2015, at no cost to the County, with the County having the right to terminate the agreement, at its sole discretion, upon thirty (30) days written notice; and be it further

RESOLVED, that all utility fees associated with the telecommunications "hut" will be paid by Cablevision Lightpath, Inc.; and be it further

RESOLVED, that all other terms and conditions of the agreement shall remain the same; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions necessary to implement this Resolution.

Contract **IT-781**

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
					N/A

Budget Funding Year(s): N/A
(must match resolution)

Start Date: January 1, 2011

End Date: December 31, 2015

Funding Source: \$N/A
(must match resolution)

Tax Dollars: N/A
State Aid _____
Federal Aid _____
Other _____