

19674

TO: Board of Acquisition & Contract

FROM: Cheryl Archbald, MD MPH
Acting Commissioner of Health

DATE: June 10, 2011

RE: Resolution authorizing the County of Westchester to Extend Agreements with Listed Vendors to Provide Transportation for Preschool Children with Special Needs for the Term 9/1/11 - 8/31/12

In 2007, 2008 and 2009 your Honorable Board authorized the County to enter into contracts with various vendors to provide transportation for preschool children with special needs, as 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. The contracts included four (4) one-year extension options, all at the sole discretion of the County. Extensions for which approval is requested at this time vary by vendor and program, as well as the year of the extension, as noted on the attachment. The contract extensions are in the total not-to-exceed amount of \$16,556,690.

The extension option includes a price adjustment based on one hundred percent (100%) of the Consumer Price Index - Public Transportation. The Consumer Price Index-Public Transportation is published by the U. S. Department of Labor, Bureau of Labor Statistics, for New York, NY - Northeastern NJ region.

The transportation services to be provided under these agreements will promote the public health, safety and welfare of Westchester County children with special needs by enabling daily participation in Special Needs programs through safe transportation. On an annual basis, approximately twelve hundred (1,200) Westchester County children in total receive transportation services; approximately eight hundred (800) of these children are served by the services provided under these agreements. The goals and objectives of the programs are to provide appropriate rehabilitative and educational services to children from two to five years old with developmental disabilities and/or delays in the child's least restrictive setting, and to provide safe transportation to and from the site.

Monitoring of Transportation providers is accomplished through pre-approval of all bus routes, random inspections to ensure provider vehicle safety and staff compliance, and monthly review of submitted documentation.

Authority is requested to exercise these extension options for the period 9/1/11 through 8/31/12 with the Vendors listed in the attachment and increase the payment per year by one hundred percent (100%) of the Consumer Price Index - Public Transportation.

In addition, pursuant to each of the agreements, the vendors are required to provide performance security. The minimum performance security in the form of cash, certified check, irrevocable letter of credit, or bond is calculated as twenty (20) percent of the subtotal contract price, prior to the addition of the contingency amount for any anticipated enrollment increase. The Bond Underwriter or Surety must appear on the U. S. Treasury's listing of approved sureties (Department Circular 570) and must be licensed to transact business in New York as a surety company.

CA/am
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/23/2011 - JOMARY VIERA SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester be authorized to exercise its option to extend contracts with the vendors listed in the attachment for the period September 1, 2011 through August 31, 2012, to provide transportation for preschool children with special needs, with the submission of security in the amounts listed in the attachment; and be it further

RESOLVED, that the total aggregate amount of the contracts with these vendors shall not exceed \$16,556,690 and that such contracts are 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 any 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 be and hereby is authorized and empowered to execute and deliver all instruments and to take all actions necessary or appropriate to accomplish the purpose of this resolution.

<u>Fund</u>	<u>Dept</u>	<u>Major Program, Program & 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		\$4,541,263	2011
101	27	2700	4541 06		1,135,316	2011
101	27	2700	4539 01,02		8,704,089	2012
101	27	2700	4541 06		2,176,022	2012

Budget Funding Years	2011-2012	Start date	9/1/11	End date	8/31/12
----------------------	-----------	------------	--------	----------	---------

Funding Source	Tax dollars	62%	\$10,265,148			
	State aid	38%	\$6,291,542			
\$ 16,556,690	Insurance	0%				
(must match resolution)	Medicaid					

APPROVED BOARD OF ACQUISITION & CONTRACT - 36/23/2011 - JOMERY VEIRA SECRETARY

ATTACHMENT

VENDOR/PROGRAM or REGION	Year of Extension	Not-To-Exceed Amount (Subtotal & Contingency)	Performance Bond (20% of Contract Subtotal)
ALL COUNTY BUS, LLC			
Alcott School - Dobbs Ferry Campus	2	\$ 1,580,766	\$ 287,412
Bedford Central School District Special Needs Pre-K	4	503,225	83,871
Blythedale Children's Hospital	4	1,320,535	220,089
JCC of Mid Westchester – Toward Tomorrow	4	920,812	167,420
Mt. Vernon School District, Special Needs Pre-K	3	263,334	40,513
Westchester Association for Retarded Citizens, Inc. - WARC Hawthorne	4	432,682	66,567
Westchester Association for Retarded Citizens, Inc. - WARC Ossining (2 sites) & Yorktown	4	230,078	38,346
Westchester Association for Retarded Citizens, Inc. - WARC Tarrytown	4	393,731	52,497
Westchester Center for Educational and Emotional Development, Inc. – WCEED	4	1,733,252	315,137
ARDSLEY BUS CORP. INC.			
Westchester Community Opportunity Program, Inc.- Port Chester Therapeutic Nursery	4	107,865	17,258
ASTRA TRANSPORTATION CORP.			
Applied Behavior Analysis Corp. (Fred S. Keller School)	2	1,307,176	237,668
John A. Coleman School/Children's Rehabilitation Center (C.R.C.) - White Plains and Mid Day Service	2	2,116,654	388,475
Leake and Watts Services, Inc. (Ames Center)	2	282,559	51,374
Regional Zone - Northern Westchester	4	1,245,481	216,605
Regional Zone - Southern Westchester	2	444,161	68,332
Regional Zone - Metropolitan New York	2	192,871	19,287
Westchester Association for Retarded Citizens, Inc. - WARC – Peekskill/Aunt Bessie's & Woodside	4	268,908	41,370
Westchester School for Special Children of Westchester County, Inc.	2	302,500	55,000
JAMES HARRIS TRANSPORT, INC.			
City School District of New Rochelle - New Rochelle Speech & Language	2	235,321	39,220
ROYAL COACH LINES, INC.			
Putnam County Chapter NYSARC, Inc. – PARC Preschool	4	884,085	147,348
Westchester Association for Retarded Citizens, Inc. - WARC – Mt. Kisco Boys & Girls Club	4	421,165	84,233
Westchester Community Opportunity Program, Inc. - WESTCOP Therapeutic Nursery Head Start	4	1,369,529	273,906

Total Not-To-Exceed Amount: \$16,556,690.00

APPROVED BY THE BOARD OF EDUCATION CONTRACT - 06/23/2011 - JOMAR VIEIRA, SECRETARY