

19941

TO: Honorable Board of Acquisition and Contract

FROM: John J. Hsu, P.E.
Commissioner of Public Works and Transportation

DATE: June 16, 2011

SUBJECT: RESOLUTION TO AUTHORIZE THE COUNTY OF WESTCHESTER TO ENTER INTO A FIFTH AMENDMENT OF AN AGREEMENT WITH MACRO CORPORATION FOR PROFESSIONAL CONSULTING SERVICES IN CONNECTION WITH INSTALLATION OF AN ELECTRONIC TRANSIT (DATA) COMMUNICATION SYSTEM FOR THE BEE-LINE SYSTEM INCREASING THE NOT TO EXCEED AMOUNT BY \$109,053.00, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,977,800.00 PAYABLE PURSUANT TO AN APPROVED BUDGET AND SUBJECT TO FUTURE APPROPRIATION (Agreement No. 11-919)

On February 13, 2003 your Honorable Board approved a Resolution to authorize the County of Westchester (the "County") to enter into an agreement with Macro Corporation for professional consulting services in connection with the design and installation of an electronic transit data communication system for the Bee-Line System, and integration of that system with the County-wide trunked voice communication system. The not to exceed fee was to be Four Hundred Seventeen Thousand Dollars (\$417,000.00), payable pursuant to an approved budget and subject to future appropriation, for the term commencing February 1, 2003 and ending December 31, 2007. The agreement was subsequently executed.

First Amendment:

Authority was further granted by this Board in a Resolution approved on June 9, 2005 to amend the agreement with Macro Corporation, increasing the not to exceed fee by Three Hundred Fifty Thousand Dollars (\$350,000.00), for a total contract amount not to exceed Seven Hundred Sixty Seven Thousand Dollars (\$767,000.00). This additional \$350,000.00 was due to the requirement for new radio frequencies, additional equipment for the fixed base transmitter sites, and additional Quality Assurance/Program Management services. The amendment was subsequently executed.

Second Amendment:

Authority was further granted by this Board in a Resolution approved on August 30, 2007 to amend the agreement with Macro Corporation, to increase the not to exceed fee by Six Hundred Thousand Dollars (\$600,000.00), for a total contract amount not to exceed One Million Three Hundred Sixty Seven Thousand Dollars (\$1,367,000.00). The amendment was necessitated by the County's request for Macro Corporation to perform additional work in specification contract negotiations and revisions, farebox interface specifications, CMF control center design, extended project schedule, new radio site addition of tectonics engineering for new radio site designs, engineering drawings, and out of County building permit approvals. The amendment was subsequently executed.

Third Amendment:

Authority was further granted by this Board in a Resolution approved on May 28, 2009 to amend the agreement with Macro Corporation for an additional Three Hundred Seventy Six Thousand One Hundred Eighty Nine Dollars (\$376,189.00), for a total contract amount not to exceed One Million Seven Hundred Forty Three Thousand One Hundred Eighty Nine Dollars (\$1,743,189.00) and to extend the termination date from July 31, 2009 to December 31, 2010. Additional work was added to the scope to require Macro to: evaluate the acquisition of an automatic vehicle locator system for approximately seventy (70) paratransit vans that were not anticipated in the initial scope; and evaluate the integration of the bus locator system with a traffic signal replacement program on Central Avenue in White Plains and Greenburgh as part of the Bus Rapid Transit Program for the entire Central Avenue corridor, which was not foreseen in the original scope. The amendment was subsequently executed.

Fourth Amendment:

Authority was further granted by this Board in a Resolution approved on July 15, 2010 to further amend the agreement with Macro Corporation for an additional One Hundred Twenty Five Thousand Five Hundred Fifty Eight Dollars (\$125,558.00), for a total contract amount not to exceed One Million Eight Hundred Sixty Eight Thousand Seven Hundred Forty Seven Dollars (\$1,868,747.00), payable pursuant to an approved budget and subject to future appropriation and to extend the termination date from December 31, 2010 to January 30, 2012. Additional work was needed to customize the Automated Vehicle Location System to the unique scheduling and data systems used by the Westchester bus operators. The amendment was subsequently executed.

Proposed Fifth Amendment:

Authority is now requested to further amend the agreement with Macro Corporation to expand the scope of services and increase the fee by an amount not to exceed One Hundred Nine Thousand Fifty Three Dollars (\$109,053.00), thereby increasing the total fee payable pursuant to the agreement and all amendments thereto to an amount not to exceed One Million Nine Hundred Seventy Seven Thousand Eight Hundred Dollars (\$1,977,800.00). Because the County's Department of Public Works and Transportation's project manager retired in August 2010, it is necessary for Macro Corporation to devote more time as the project manager to ensure the project is successfully completed. All other terms and conditions of the agreement, as amended, will remain unchanged.

The increase proposed in this resolution reflects the cost of that additional work, to be funded as follows: 80% Federal grant / 10% State grant / 10% County funds.

The activation of the automatic vehicle locator system for the fixed route bus system will be a significant improvement in the County's effort to make service operations more economically efficient for taxpayers while improving responsiveness of the services to users.

All project components are actively monitored by the Department of Public Works and Transportation personnel through weekly progress meetings. Macro Corporation will be paid based upon invoices submitted for their work and approved by the Department of Public Works and Transportation.

I recommend approval of the annexed Resolution.

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, it is hereby

RESOLVED, that the County of Westchester (the "County") is authorized to enter into a fifth amendment of an agreement with Macro Corporation for professional consulting services in connection with the design and installation of an electronic transit data communication system for the Bee-Line System, and integration of that system with the County-wide trunked voice communication system, in order to expand the scope of services and to increase the not to exceed amount by \$109,053.00, for a total contract amount not to exceed \$1,977,800.00 payable pursuant to an approved budget and subject to future appropriation; and be it further

RESOLVED, that all other terms and conditions of the agreement with Macro Corporation, as amended, shall remain unchanged; and be it further.

RESOLVED, that the County Executive or his duly authorized designee is hereby empowered to execute any and all instruments and take such other actions as may reasonably be necessary to effectuate the purposes thereof.

Original Agreement	\$ 417,000.00
First Amendment	\$ 350,000.00
Second Amendment	\$ 600,000.00
Third Amendment	\$ 376,189.00
Fourth Amendment	\$ 125,558.00
This Amendment	<u>\$ 109,053.00</u>
TOTAL	\$1,977,800.00

Agreement No. 11-919

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
		365	44	T000607S	6190-01	

Budget Funding Year(s) 2003-2012 Start Date 02/01/2003 End Date 01/30/2012
(must match resolution)

Funding Source	Tax Dollars	<u>\$10,905.30 (10%)</u>
	State Aid	<u>\$10,905.30 (10%)</u>
	Federal Aid	<u>\$87,242.40 (80%)</u>
<u>\$109,053.00</u> (must match resolution)	Other	<u>_____</u>