



Robert P. Astorino
County Executive

Department of Social Services
Kevin M. McGuire, Commissioner

John J. Hsu
Commissioner of Public Works and Transportation

20834

DATE: August 3, 2011

TO: Board of Acquisition and Contract

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

Kevin M. McGuire
Commissioner, Department of Social Services

RE: AUTHORITY TO EXERCISE THE THIRD OF THREE OPTIONS TO EXTEND A CONTRACT WITH ALL COUNTY BUS, LLC TO PROVIDE TRANSPORTATION SERVICES FOR HOMELESS SCHOOL AGE CHILDREN AND TRANSPORTATION SERVICES FOR CHILDREN IN FOSTER CARE FOR COURT-MANDATED VISITS WITH THEIR FAMILIES IN WESTCHESTER COUNTY SOCIAL SERVICES DISTRICT OFFICES FOR THE PERIOD COMMENCING SEPTEMBER 1, 2011 AND TERMINATING AUGUST 31, 2012, FOR AN AMOUNT NOT TO EXCEED \$2,930,005 FOR THIS EXTENSION AND FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$10,556,645 TO BE PAID PURSUANT TO AN APPROVED BUDGET AND SUBJECT TO APPROPRIATION

Authority was granted by this Board in a resolution approved on July 24, 2008 to enter into a contract with All County Bus, LLC, 70 Fernbrook Street, Yonkers, New York 10705 to provide transportation services (mandated by the New York State Education Law Section 320(2)) for homeless children attending school in their school district of last permanent residence (home school district) for the period September 1, 2008 through August 31, 2009 for an amount not to exceed \$2,472,970. The contract was subsequently executed.

The requirement mandated by the New York State Education Law affects children who are housed outside their home school district attending school in their home district. This transportation service is for the children in County Zones 1, 2 and 3. Transportation services are also provided for children in Foster Care for court-mandated visits with their families in Westchester County Social Services District Offices.

This Board also gave permission to the County to enter into three (3) one-year extensions at the sole discretion of the County. The extension periods would begin on September 1, 2009, 2010, and 2011 and terminate on August 31, 2010, 2011, and 2012, respectively. As stated in the original resolution, the extension periods provide for a price adjustment based on 100% of the percentage of increase of the Consumer Price Index ("CPI") – Public Transportation-U.S. City Average-Series ID: CUUR0000SETG. Also, as stated in the original contract, such adjustment shall be computed by first comparing the "CPI" published during the month of April 2010 with the "CPI" published during the month of April 2011.

Your Honorable Board approved a resolution on July 2, 2009 giving authority to the County to exercise its First of the Three Options to extend the contract for the period from September 1, 2009 through August 31, 2010 for an amount not to exceed \$2,472,970 making the total including the Original Agreement and the First Extension to \$4,945,940. The First Extension was subsequently executed.

Again, your Honorable Board approved a resolution on July 29, 2010 giving authority to the County to exercise its Second of the Three Options to extend the contract for the period from September 1, 2010 through August 31, 2011 for an amount not to exceed \$2,680,700 making the total including the Original Agreement and the First Extension to \$7,626,640. The Second Extension was subsequently executed.

Authority is now requested for the County to exercise the Third of Three options to extend the contract with All County Bus, LLC for the period commencing on September 1, 2011 and terminating on August 31, 2012 for an amount not to exceed \$2,930,005 (\$1,209,208 for zone 1, \$1,396,230 for zone 2 and \$324,567 for zone 3) for a total contract amount not to exceed \$10,556,645.

The \$2,930,005 requested for this extension reflects a change in cost from the second year of this contract. The calculation of the Consumer Price Index ("CPI") – Public Transportation-U.S. City Average-Series ID: CUUR0000SETG, comparing the "CPI" published during the month of April 2010 with the "CPI" published during the month of April 2011 resulted in an increase of 9.3%. The contract with All County Bus, LLC for this service states that the prior year cost shall be adjusted by the percentage of increase, but not decrease. Therefore, the cost of \$2,930,005 requested for this extension is increased by 9.3% from the cost approved for the prior year.

The goals and objectives of this program are to meet New York State mandates by providing transportation to and from school for homeless children

housed outside their home school districts. This program provides stability to children and their families who have been placed in housing outside the school district of their last permanent residence.

The goals and objectives are in the best interest of the County in terms of public safety as they are aimed at providing safe transportation from a competent bus company experienced in transporting school age children to and from their respective schools, and thereby lessen the problems and issues that may arise in these situations when families are uprooted as a result of homelessness.

The program will be monitored daily by DOT and DSS staff as each child and route is tracked to ensure the timely and safe arrival of the children. DSS provides a list of the children to the bus company and the bus company uses the list to track the attendance on each route. The bus company will report to DSS if there are any absences. DOT and DSS will communicate daily concerning any problems in routing and pick-up that may occur and follow up with the bus company. DOT and DSS will also monitor the performance of the transportation services to ensure compliance with contract terms. All County Bus, LLC will be paid by the Department of DSS based on invoices detailing the routes and time periods of service provided. The Department is pleased to report that the contractor has met the expectations pursuant to this agreement by providing the required service.

Except as specifically amended hereby, all other terms and conditions of the original agreement shall remain the same.

In view of the importance of this program to the County, we urge the adoption of the attached resolution.

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, and the Commissioner of the Department of Social Services, be it hereby:

RESOLVED, that the County of Westchester, at its sole option, is hereby authorized to exercise the third of three options to extend a contract with All County Bus, LLC, 70 Fernbrook Street, Yonkers, New York 10705 for the transportation of homeless children housed in Westchester County School District Zones 1, 2 and 3 including the transportation services for children in foster care for court-mandated visits with their families in Westchester County Social Services District Offices for the period commencing on September 1, 2011 and terminating on August 31, 2012, and be it further

RESOLVED, that the amount of this contract extension shall be \$2,930,005 (\$1,209,208 for zone 1, \$1,396,230 for zone 2 and \$324,567 for zone 3) for a total contract amount not to exceed \$10,556,645; and be it further

RESOLVED, that this Contract is subject to County Appropriation; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the original agreement shall remain the same; 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 hereof.

Original Agreement	\$2,472,970
This First Extension	\$2,472,970
Second Extension	\$2,680,700
This Extension	<u>\$2,930,005</u>
Total	\$10,556,645

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2011	101	22	8900	5630	NA	\$ 893,567
2012	101	22	8900	5630	NA	\$2,036,438

Budget Funding Year(s) 2011-2012 Start Date 9/1/11 End Date 8/31/12
(must match resolution)

Funding Source

\$2,930,005
(must match resolution)

DOT 09-13

Tax Dollars:
State Aid:
Federal Aid: 100%
Other:

APPROVED BOARD OF ACQUISITION & CONTRACT 08/18/2011 - JOMARY VIEIRA SECRETARY