

20842

DATE: August 5, 2011

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Marguerite Beirne, Chief information Officer
Department of Information Technology

RE: Authority to amend an Agreement (IT-768) with Verizon Credit, Inc., pursuant to which the County leased from Verizon Credit, Inc. certain equipment and software necessary for the operation of an Enhanced 911 system for a number of Public Safety Answering Points

By resolution approved on December 29, 2005 (the "December 29th Resolution"), your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Verizon Credit, Inc. ("Verizon Credit"), pursuant to which the County would lease from Verizon Credit certain equipment and software necessary for the operation of an Enhanced 911 system for a number of Public Safety Answering Points ("PSAPs"), for a term of 5 years, for monthly payments of \$29,845.47.

Based upon the December 29th Resolution, the County and Verizon Credit entered into a Master Lease-Purchase Agreement (IT-768), which included one all-inclusive lease schedule that specified the term of the lease, the total cost of the lease, the equipment to be leased, and the locations at which the leased equipment was to be installed (the "Master Lease"). The Master Lease was executed on December 29, 2005. Accordingly, the five-year term of the Master Lease expired on December 28, 2010.

The term of the Master Lease was intended to coincide with the five-year term for the lease on all of the equipment for the PSAPs. However, delivery and installation of the leased equipment by Verizon Credit was delayed. As a result, Verizon Credit properly considered the terms of the leases for the delayed equipment to have not commenced until its delivery and installation. Therefore, the terms of the leases for that equipment did not commence until after December 29, 2005 and, consequently, do not expire until after December 28, 2010.

These delays and related changes in lease terms, as well as other subsequent changes in the exact equipment to be leased; the locations at which the leased equipment was to be installed; and the prices of the equipment necessitated a series of amended lease schedules (the "Amended Schedules"). The Amended Schedules accounted for these various changes, and were executed by the County and Verizon Credit. (A spreadsheet summarizing the Amended Schedules is annexed hereto.) However, authority to amend the Master Lease through the Amended Schedules was not previously sought from your Honorable Board.

Therefore, authority is respectfully requested from your Honorable Board to enter into a series of amendments to the Master Lease, in the form of individual lease schedules, in order

to, 1) change the list of equipment being leased, 2) change the locations at which the leased equipment is installed, 3) change the Master Lease monthly payment of \$29,845.47 and total not-to-exceed amount of \$1,790,728.20 to a total not-to-exceed amount of \$2,002,037.26, and 4) extend the overall term of the Master Lease from December 29, 2005 through December 28, 2010 to December 29, 2005 through February 28, 2013.

Except as specifically amended hereby, all terms and conditions of the Master Lease will remain in full force and effect.

The proposed amendments will serve a public purpose by ensuring that the County has the equipment necessary to facilitate the proper functioning of its Enhanced 911 system.

The goal and objective of the proposed amendments is to ensure that the County has the equipment necessary to allow its Enhanced 911 system continues to provide reliable service for residents of Westchester County twenty four hours a day, seven days a week.

The goal and objective of the proposed amendments is in the best interests of the County in terms of fiscal responsibility, as continuing to utilize the original, leased equipment for the full lease term allows the County to forego purchasing replacement equipment at this time. The goal and objective of the proposed amendments is also in the best interests of the County in terms of safety and security, as a fully-equipped Enhanced 911 system will allow the County to continue to reliably operate that critical public safety system.

Accordingly, the attached resolution is submitted for your consideration.

MB/bdm/nn

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an Agreement (IT-768) with Verizon Credit, Inc. ("Verizon Credit"), pursuant to which the County leased from Verizon Credit certain equipment and software necessary for the operation of an Enhanced 911 system for a number of Public Safety Answering Points ("PSAPs"), for a term of 5 years, for monthly payments of \$29,845.47, (the "Master Lease") in order to 1) change the list of equipment being leased, 2) change the locations at which the leased equipment is installed, 3) change the Master Lease monthly payment of \$29,845.47 and total not-to-exceed amount of \$1,790,728.20 to a total not-to-exceed amount of \$2,002,037.26, and 4) extend the overall term of the Master Lease from December 29, 2005 through December 28, 2010 to December 29, 2005 through February 28, 2013; and be it further

RESOLVED, that except as specifically amended hereby, all terms and conditions of the Master Lease shall remain in full force and effect; 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.

Original Agreement	\$1,790,728.20
These Amendments	\$ 211,309.06
Total	\$2,002,037.26

Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2011	101	16	2000	4140		\$97,527.26
2012	101	16	2000	4140		\$97,527.26
2013	101	16	2000	4140		\$16,254.54

Budget Funding Year(s): 2011-2013 Start Date: December 29, 2010 End Date: February 28, 2013
 (must match resolution)

Funding Source	Tax Dollars: _____
	State Aid: _____
<u>\$211,309.06</u>	Federal Aid: _____
(must match resolution)	Other: <u>\$211,309.06 from E911 Surcharge</u>

Amended Schedules Summary

Agreement Number	Structure	Equipment Description	Equipment Cost	Last Rent Due Date	Lease Term (Mos.)	Monthly Rent	Total Rent Payments	Rents Received (\$)	Rents Received (#)	Rents Remaining (\$)	Rents Remaining (#)	FMV Purchase Option **	Equipment Location
1100200-001	Lease	E911 PSAP	91,197.32	7/1/2011	60	\$1,926.37	115,582.20	102,097.61	53	13,484.59	7	9,119.73	15 SOUTH STONE AVENUE Elmsford, NY 10523
1100200-002	Lease	E911 PSAP	91,105.30	8/1/2011	60	20 @ \$2,207.95 40 @ \$1,541.36	105,813.40	93,482.52	52	12,330.88	8	9,110.53	455 KNOLLWOOD ROAD White Plains, NY 10603
1100200-003	Lease	E911 PSAP	91,197.32	11/1/2012	60	\$1,926.37	115,582.20	71,275.69	37	44,306.51	23	9,119.73	350 NOTH MAIN STREET Port Chester, NY 10573
1100200-004	Lease	E911 PSAP	71,982.29	9/1/2011	60	19 @ \$2,099.40 41 @ \$790.71	72,307.71	65,191.32	51	7,116.39	9	7,198.23	2881 CROMPOND RD Yorktown Heights, NY 10598
1100200-005	Lease	E911 PSAP	91,197.32	10/1/2011	60	\$1,926.37	115,582.20	96,318.50	50	19,263.70	10	9,119.73	80 WHEELER AVE Pleasantville, NY 10570
1100200-006	Lease	E911 PSAP	83,185.31	12/1/2011	60	17 @ \$2,099.40 43 @ \$1,405.09	96,108.67	79,247.59	48	16,861.08	12	8,318.53	2 NELSON AVE Peekskill, NY 10566
1100200-007	Lease	E911 PSAP	109,757.21	6/1/2012	60	11 @ \$2,344.01 49 @ \$2,300.57	138,512.04	97,101.78	42	41,410.26	18	10,975.72	1 SAW MILL RIVER PKWY Hawthorne, NY 10532
1100200-008	Lease	E911 PSAP	156,470.76	9/1/2012	60	7 @ \$3,130.94 53 @ \$3,379.62	201,246.44	130,274.42	39	70,972.02	21	15,647.08	475 NORTH AVENUE New Rochelle, NY 10801
1100200-009	Lease	E911 PSAP	152,460.89	10/1/2012	60	\$3,219.03	193,141.80	122,323.14	38	70,818.66	22	15,246.09	77 S. LEXINGTON AVENUE White Plains, NY 10601
1100200-010	Lease	E911 PSAP	91,197.32	6/1/2012	60	\$1,926.37	115,582.20	80,907.54	42	34,674.66	18	9,119.73	200 Pondfield Rd Bronxville, NY 10708
1100200-011	Lease	E911 PSAP	91,197.32	8/1/2012	60	\$1,926.37	115,582.20	77,054.80	40	38,527.40	20	9,119.73	307 BEDFORD RD Bedford Hills, NY 10507
1100200-012	Lease	E911 PSAP	68,075.93	11/1/2012	60	\$1,438.51	86,310.60	53,224.87	37	33,085.73	23	6,807.59	455 KNOLLWOOD ROAD White Plains, NY 10603
1100200-013	Lease	E911 PSAP	137,657.16	11/1/2012	60	\$2,906.68	174,400.80	107,547.16	37	66,853.64	23	13,765.72	188 TARRYTOWN RD White Plains, NY 10607
1100200-014	Lease	E911 PSAP	159,106.37	2/1/2013	60	\$3,359.25	201,555.00	114,214.50	34	87,340.50	26	15,910.64	FOUR DANA ROAD Valhalla, NY 10595
1100200-015	Lease	E911 PSAP	122,119.22	2/1/2013	60	\$2,578.83	154,729.80	87,680.22	34	67,049.58	26	12,211.92	ONE ROOSEVELT SQUARE NORTH Mount Vernon, NY 10550
			1,607,907.04				2,002,037.26	1,377,941.66		624,095.60		160,790.70	

* The FMV purchase option assumes all payments due will be made through the Last Payment Due Date. The FMV value purchase option for any lease expiring in 2012 and 2013 is estimated.