

22824

DATE: November 3, 2011

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne, Chief Information Officer

RE: AUTHORIZATION TO AMEND AGREEMENT (IT-1181) WITH VERIZON WIRELESS FOR CELLULAR TELEPHONE AND WIRELESS DATA SERVICES BY INCREASING THE AMOUNT OF THE AGREEMENT BY \$23,000 TO A NEW TOTAL NOT TO EXCEED AMOUNT OF \$650,000

BACKGROUND:

- On November 23, 2010, your Honorable Board approved a resolution which authorized entering into an agreement (IT-1181) with Cellco Partnership, a Delaware general partnership, doing business as Verizon Wireless, for cellular telephone and wireless data services for a one year term commencing on December 3, 2010 and terminating on December 2, 2011, utilizing New York State Office of General Services (NYS OGS) Contract PS63766, for a total amount not to exceed \$627,000.
- Recently, the Department of Health and the District Attorney's Office requested that service for most of their cellular phones be changed from Sprint Solutions/Nextel to Verizon Wireless in order to improve service. The Department of Social Services has also increased the number of devices it uses. The resulting migration of these phones from Sprint Solutions/ Nextel to Verizon Wireless and addition of devices by DSS will result in an increase of \$23,000 in services under the Verizon Wireless contract. Most of this increase will be offset by a corresponding decrease in Sprint Solutions/Nextel expenditures.
- Wireless services continue to be a valuable and essential tool for County staff. Therefore, we now come before your Honorable Board requesting approval to amend agreement IT-1181 with Cellco Partnership, a Delaware general partnership, doing business as Verizon Wireless to increase the amount of the agreement by \$23,000 to a new total amount not to exceed \$650,000, with all other terms and conditions to remain the same.
- Services covered by this agreement are managed and audited by the Department of Information Technology and paid directly by the departments utilizing the services, after receiving appropriate authorization to procure such service.
- The public purpose for the requested amendment is to benefit the public good by providing County staff with communication devices that enable them to do their jobs more efficiently.

- The goals and objectives for the services provided in the attached resolution is efficient, cost effective cellular telephone and data service. It is in the best interest of the County since it provides means for County staff to communicate in times of emergencies or during the course of normal work day related activities. Cellular service will be monitored by DoIT staff, in conjunction with staff from the department utilizing the service, to be sure the service is not abused and remains cost effective.
- Under our performance based management initiative, this agreement meets fiscal responsibility by utilizing excellent rates for services which were negotiated and approved by New York State, ultimately saving time and taxpayer money. Safety and security of residents is enforced by utilizing communication services that promote quick and efficient connectivity. Particularly in an emergency situation, fast service is critical.
- This procurement is exempt from the County's Procurement Policy, under Section 3 (a) i., as it is a procurement made pursuant to General Municipal Law Section 104.

ACTION REQUESTED:

- Authorization to amend Agreement IT-1181 with Celco Partnership, a Delaware general partnership, doing business as Verizon Wireless, having a place of business located at 180 Washington Valley Road, Bedminster, New Jersey 07921, for cellular telephone and wireless data services by increasing the amount of the agreement by \$23,000 for a new total not to exceed amount of \$650,000, with all other terms and conditions of the agreement remaining the same.

A resolution authorizing the amendment of the above agreement is submitted herewith for your approval.

RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to amend Agreement IT-1148 with Cellco Partnership, a Delaware general partnership, doing business as Verizon Wireless, having a place of business located at 180 Washington Valley Road, Bedminster, New Jersey 07921, for cellular telephone and wireless data services by increasing the amount of the agreement by \$23,000 to a new total not to exceed amount for the agreement of \$650,000; and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, 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 an 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 all other terms and conditions of the agreement shall remain the same; 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: \$627,000
This Amendment: \$ 23,000
 Total: \$650,000

Contract No. **IT-1181**

Account to be charged/credited:

| Year | Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub- Object | Trust Account | Dollars |
|------|------|------|--|------------------------|------------------|-----------|
| 2011 | | | Various County | Depts. | | \$ 23,000 |

Budget Funding Year(s): 2010-2011 Start Date: December 3, 2010 End Date: December 2, 2011

Funding Source: Tax Dollars: \$23,000

State Aid _____

\$23,000 Federal Aid _____

(must match resolution) Other: Costs for cellular telephone & wireless data services are charged directly to the County department utilizing the service

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/28/2011 - JOMARY WEIR, SECRETARY