

23836

DATE: December 9, 2011

TO: Board of Acquisition and Contract

FROM: Marguerite Beime
Chief Information Officer
Department of Information Technology

Kathleen O'Connor, Commissioner
Department of Parks, Recreation and
Conservation

RE: RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO (1) ENTER INTO AN AGREEMENT TO ASSIGN CONTRACT IT-655 WITH CORE CASHLESS, INC., TO CORE CASHLESS, LLC; AND (2) TO AMEND A CONTRACT (IT-655) WITH CORE CASHLESS, LLC, INCREASING THE AMOUNT BY \$186,000 TO A NEW TOTAL NOT TO EXCEED AMOUNT OF \$2,011,359 FOR ADDITIONAL HARDWARE AND SOFTWARE SUPPORT AND MAINTENANCE OF THE STORED VALUE CARD SYSTEM UTILIZED BY THE DEPARTMENT OF PARKS, RECREATION AND CONSERVATION, AND EXTENDING THE AGREEMENT TO A NEW TERMINATION DATE OF SEPTEMBER 30, 2012.

BACKGROUND:

- On September 17, 2004, your Honorable Board approved a resolution which authorized entering into an agreement with Applied Resources, Inc., for a stored value card system for Playland Park, for a four year period commencing on October 1, 2004 and terminating on September 30, 2008, for a total amount not to exceed \$765,000. The contract (IT-655) authorized in this resolution was subsequently executed and approved.
- On July 14, 2005, your Honorable Board approved a resolution authorizing an amendment to Contract IT-655 with Applied Resources, Inc., by increasing the amount by \$20,000 for additional equipment and software enhancements to the stored value card system for Playland Park to a new total not to exceed contract amount of \$785,000. The first amendment authorized in this resolution was subsequently executed and approved.
- On January 31, 2008 ("the January 31st Resolution"), your Honorable Board approved a resolution which authorized an assignment of Contract IT-655 with Applied Resources, Inc. to CORE Cashless, Inc. and extended the term two years to a new termination date of September 30, 2010 and increased the amount by \$797,690 to a new total not to exceed contract amount of \$1,582,690. The assignment and amendment authorized in this resolution were subsequently executed and approved.
- On June 25, 2009, your Honorable Board approved a resolution which authorized an amendment of Contract IT-655 to Core Cashless, Inc., by increasing the amount by \$91,247 for additional hardware, software and related support costs of the stored value card system for Playland Park to a new total not to exceed contract amount of \$1,673,937. The contract (IT-655) authorized in this resolution was subsequently executed and approved.
- On November 23, 2010, your Honorable Board approved a resolution which authorized an amendment of Contract IT-655 to Core Cashless, Inc., by increasing the amount by \$151,422.13 for additional

hardware, software and related support costs of the stored value card system for Playland Park to a new total not to exceed contract amount of \$1,825,329.13. The contract (IT-655) authorized in this resolution was subsequently executed and approved.

- We were recently notified that effective November 16, 2011, CORE Cashless, Inc. has been acquired by CORE Cashless, LLC. Therefore, we now come before your Honorable Board requesting approval to assign Contract IT-655 with CORE Cashless, Inc. to CORE Cashless, LLC.
- Also, an extension of hardware and software support and maintenance for the current stored value card system for Playland Park is needed at an additional cost of \$186,000 and new termination date of September 30, 2012 bringing the new total not to exceed amount to \$2,011,359.
- Due to the proprietary nature of the system, Core Cashless, LLC is the only entity that can provide support. Accordingly, we recommend that your Honorable Board deem this agreement to be a sole source procurement pursuant to Section 9 of the County Procurement Policy.
- The Public Purpose of extending the current software and hardware support agreement is to continue to allow the park to operate with an automated system that was originally implemented to reduce operating costs of the park, improve cash control and reduce revenue losses due to misrepresentation of ridership statistics, and Food and Beverage revenues.
- The Goals and Objectives of this amendment are to provide hardware and software support and maintenance for one additional year. Because the hardware and software is essential to the operation of the park, there would be significant risk if support were not continued. Should certain hardware components fail, the park would be unable to repair or replace the component, requiring manual operation for some or all rides and Point of Sale locations. If software problems occur without support from the vendor, the time to resolve issues would be much longer and some problems might be impossible to overcome. This could require all rides and Point of Sale locations to operate manually for days or a large part of the season. This additional term requested in this resolution is only one year so the existing system can continue to operate while responses to the current Request for Proposal are evaluated and implemented for the park.

ACTION REQUESTED:

Authorization to assign Contract IT-655 from CORE Cashless, Inc. to Core Cashless, LLC and to amend a contract (IT-655) with Core Cashless, LLC, having an office located at 14343 West 100th Street, Lenexa, Kansas 66215, for hardware and software support and maintenance of the stored value card system for Playland Park by extending the term to a new termination date of September 30, 2012, increasing the amount by \$186,000 for a new total not to exceed amount of \$2,011,359, payable pursuant to an approved schedule, and subject to county appropriations.

Accordingly, the attached resolution is submitted for your consideration.

RESOLUTION

UPON A COMMUNICATION FROM THE CHIEF INFORMATION OFFICER, DEPARTMENT OF INFORMATION TECHNOLOGY AND THE COMMISSIONER, DEPARTMENT OF PARKS, RECREATION AND CONSERVATION, BE IT HEREBY

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement to assign Contract IT-655 from CORE Cashless, Inc. to CORE Cashless, LLC, having an office located at 14343 W. 100th Street, Lenexa, Kansas 66215, and to amend contract (IT-655) with CORE Cashless, LLC by extending the term to a new termination date of September 30, 2012, increasing the amount by \$186,000 for a total not to exceed amount of \$2,011,359, payable pursuant to an approved schedule, for hardware and software support costs of the stored value card system utilized by Playland Park and the County Center; and be it further

RESOLVED, this Agreement is deemed to be a sole source agreement pursuant to Section 9 of the Westchester County Procurement Policy; and be if further

RESOLVED, 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 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: \$ 765,000
 First Amendment: \$ 20,000
 Second Amendment: \$ 797,690
 Third Amendment: \$ 91,247
 Fourth Amendment \$ 151,422
This Amendment: \$ 186,000
 TOTAL: \$2,011,359

Contract: # IT-655

Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2012	165	42	5520	4380		\$186,000

Budget Funding Year(s): 2012 Start Date: October 1, 2011 End Date: September 30, 2012

Funding Source Tax Dollars: \$186,000
 State Aid _____
\$186,000 Federal Aid _____
 (must match resolution) Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/19/2011 PRIMARY VIEIRA, SECRETARY