

25314

TO: Board of Acquisition and Contract

FROM: Jay T. Pisco, P.E.
Commissioner of Public Works and Transportation

DATE: March 1, 2012

RE: Authority to exempt from the Westchester County Procurement Policy and Procedures an agreement with Farrokh Hormozi, Ph.D. to perform a Certification and Precision Analysis for 2011 Passenger Mile Data for the Westchester County Bee-Line System in Accordance with the Section 15 National Transit Database (NTD) Reporting System for Revenue Based Sampling Procedures for Obtaining Fixed Route Bus Operating Data.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures an agreement with Farrokh Hormozi, Ph.D. to perform a Certification and Precision Analysis for 2011 Passenger Mile Data for the Westchester County Bee-Line System for a term April 1, 2012 through June 30, 2012 for an amount not to exceed \$5,000.00, payable pursuant to an approved budget.

Since 1978, all recipients of Federal funding have been required to file a Section 15 National Transit Database (NTD) report. NTD reporting guidelines mandate that grantees that receive Federal 5307 and 5311 grant funds must collect, record, and report financial and non-financial data in accordance with the Uniform System of Accounts (USOA) and updated with the *National Transit Database (NTD) Reporting Manual* as required by 49 USC 5335(a). Grantees are required to obtain and retain on file certain declarations to attest to the reliability and accuracy of the reported data.

As part of its National Transit Database (NTD) reporting guidelines for fixed-route bus services, the Federal Transit Administration (FTA) provides a set of sampling plans for estimating unlinked passenger trips (UPT) and passenger miles (PM). These sampling plans are published in FTA Circular C2710.1A (UMTA 1988). The plans vary in the daily number of one-way bus trips sampled and the frequency of sampling. The FTA requires that any sampling technique used for NTD reporting meet a confidence level of 95 percent and a precision level of ± 10 percent. The FTA also gives transit agencies the option of using alternative sampling techniques as long as they are developed and certified by a qualified statistician.

Board of Acquisition and Contract
Authority to Exempt from the Westchester County Procurement Policy and Procedures an
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In the late 1980's, Dr. Farrokh Hormozi Ph.D. developed an alternative sampling technique for the Bee-Line System which minimized the sample size while meeting FTA's confidence and precision levels. This customized sampling plan represented a more reliable and cost-effective alternative to the FTA sampling plan. Dr. Farrokh Hormozi, Ph.D. has been involved in the certification and precision analysis for the Westchester County Bee-Line System since its inception and is thoroughly familiar with the Bee-Line System operations. NTD requirements mandate that this alternative sampling technique be certified by a qualified statistician for the 2011 sample year.

Ordinarily, under Section 5(a) of the Procurement Policy, the County would be required to solicit written or oral quotations from no fewer than three (3) persons customarily providing the required services before entering into another agreement for the certification of this alternative sampling technique. Dr. Hormozi's previous service and his extensive knowledge of the alternative sampling method and its relationship to the NTD requirements make him uniquely qualified to perform this certification.

Pursuant to Section 3(a)xxi thereof, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which your Honorable Board determines, by Resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County.

For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of this agreement from the Westchester County Procurement Policy and Procedures. Accordingly, a Resolution to exempt the procurement of an agreement with Dr. Farrokh Hormozi, Ph.D. is hereby submitted for your Honorable Board's consideration.

RESOLUTION

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

RESOLVED, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting price quotations, is neither cost effective nor expedient, and accordingly not in the best interests of the County, in connection with the procurement of an agreement with Dr. Farrokh Hormozi, Ph.D. to perform a Certification and Precision Analysis for 2011 Passenger Mile Data for the Westchester County Bee-Line System.

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2011
SOMAY VIEIRA, SECRETARY