

28293

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire  
Commissioner of Social Services

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

DATE: July 24, 2012

RE: **AUTHORIZATION TO AWARD CONTRACT NO. DSS325-12 TO ALL COUNTY BUS, LLC, TO PROVIDE COUNTY WIDE TRANSPORTATION SERVICES FOR HOMELESS SCHOOL AGE CHILDREN AND CHILDREN IN COURT DIRECTED CUSTODY AND IN FOSTER CARE FOR A FIVE YEAR PERIOD COMMENCING SEPTEMBER 1, 2012 FOR AN AMOUNT NOT TO EXCEED \$12,608,749.00**

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The County of Westchester (the "County") is mandated by the New York State Education Law Section 3209(4) to provide transportation to homeless children attending school in their school district of last permanent residence (home school district). This requirement affects children who are housed outside their home school district attending school in their home district. Additionally, the County is required to provide transportation services for children in court directed custody and in foster care for court mandated visits with their families in Westchester County Social Services District Offices. Pursuant to a Resolution approved on April 5, 2012, the County solicited bids for these transportation services.

Bids were sought for the transportation services on a County wide basis for a five (5) year term commencing September 1, 2012. Pricing for years two (2) through five (5) shall be subject to a price adjustment based upon 50% of the increase in the Consumer Price Index ("CPI"), not to exceed a 4% increase annually, in the month of January of the current contract year over the month of January of the preceding year.

On July 11, 2012, three (3) bids were received for Contract No. DSS325-12, and All County Bus, LLC, 70 Fernbrook Street, Yonkers, New York 10705 was the low bidder. All County Bus, LLC has provided satisfactory transportation services to the County in the past. Authorization is sought to award a contract to All County Bus, LLC for the transportation of these children.

The goals and objectives of this program are to meet New York State mandates by providing transportation service to children in court directed custody and in foster care for court mandated visits and transportation services to and from school for homeless children housed outside their home school

Board of Acquisition and Contract  
Award to the Low Bidder  
Contract No. DSS325-12  
County Wide Transportation Services  
All County Bus, LLC  
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districts. This program will provide stability to children and their families who have been placed in foster care and housing outside the school district of their last permanent residence. It is in the best interest of the County and the public to provide safe transportation from a competent bus company experienced in transporting children placed in care of the Department of Social Services and 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 staff from the Department of Social Services (“DSS”) and the Department of Public Works and Transportation (“DPWT”) as each child and route is tracked to ensure the timely and safe arrival of the children. DSS and DPWT will communicate daily concerning any problems in routing and pick-up that may occur and follow up with the bus company. DSS and DPWT will also monitor the performance of the transportation services to ensure compliance with contract terms, and All County Bus, LLC will be paid by DSS based on invoices detailing the routes and time periods of service provided in accordance with the bid prices.

In view of the importance of this program to the County, I urge the adoption of the attached Resolution.

KMM/JTP/dm  
Attachment

# RESOLUTION

## Contract No. DSS325-12

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

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to award Contract No. DSS325-12 to All County Bus, LLC, 70 Fernbrook Street, Yonkers, New York 10705, for the transportation of children placed in court directed custody and in foster care and homeless children housed in Westchester County for a five (5) year period commencing September 1, 2012 in an amount not to exceed \$12,608,749 to be paid in accordance with bid pricing; and be it further

**RESOLVED**, that bid pricing for years two (2) through five (5) shall be subject to a price adjustment based upon 50% of the increase in the Consumer Price Index ("CPI"), not to exceed a 4% increase annually; and be it further

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

**RESOLVED**, that 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 releases(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 re-negotiate 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

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
	101	22	8900	5630		\$ 775,972.00 (2012)
	101	22	8900	5630		\$2,358,956.00 (2013)
	101	22	8900	5630		\$2,453,314.00 (2014)
	101	22	8900	5630		\$2,551,447.00 (2015)
	101	22	8900	5630		\$2,653,505.00 (2016)
	101	22	8900	5630		\$1,815,555.00 (2017)

Budget Funding Year(s) 2012-2017 Start Date September 1, 2012 End Date August 31, 2017  
 (must match resolution)

Funding Source: Tax Dollars:

State Aid:

**\$12,608,749** Federal Aid: 100%  
 (must match resolution)

Other: