

36974

**TO:** Board of Acquisition and Contract

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

Evan Latainer  
Director, Office for the Disabled

**DATE:** November 15, 2013

**SUBJECT:** **Resolution to amend a contract with Act Now Limousine Service Inc. to increase the total amount of the contract by \$32,860.00 and amend the scope of work to increase the size of the Blue Zone by an additional one mile.**

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Pursuant to a resolution approved on December 6, 2012, the County entered into a one year contract commencing January 1, 2013 (with the option to extend for four additional one year periods) with Act Now Limousine Service Inc. for the provision of taxi services within the City of Peekskill to customers of the County's paratransit service that opt to utilize a taxi rather than the standard paratransit service vehicles. The original contract included a not to exceed dollar amount of \$60,140.00. Based on the higher than anticipated demand for the taxi service, it is necessary to increase the not to exceed dollar amount by an additional \$32,860.00 to cover all of the projected requests for taxi services through the end of the contract term, thereby increasing the total not to exceed amount of the contract to \$93,000.00.

The contract pays Act Now Limousine Service Inc. based on the zone within which the ride originates and where the ride ends. The Blue Zone consists of rides originating within the City and ending no further than 5.1 miles from the City's limits. Due to customer demand, it is requested that the Blue Zone's boundaries be changed to include rides originating within the City's limits and ending no further than 6.1 miles from the City limits. The total fare paid to Act Now Limousine Service Inc. for the Blue Zone remains the same as Act Now Limousine Service Inc. has agreed to provide the additional mile of service at no additional cost.

The increase in the not to exceed dollar amount and the extension of the Blue Zone do not constitute any new undertakings and are merely incidental changes to the original contract terms. This proposed amendment to the contract is in the public's best interest because it will continue to provide a cost effective alternative to traditional paratransit for ambulatory citizens, thus addressing the County Executive's priority area: Fiscal Responsibility (FR). There are no energy or environmental components associated with this project.

As expenditures are made pursuant to this authorization, detailed records will be kept in the County's on-line financial system. These records will be easily accessible by Finance, Budget and department staff and will be reviewed regularly to ensure that funds are used appropriately.

This resolution has been reviewed by the Law Department. A proposed resolution is attached for your consideration.

# RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation and the Director of the Office for the Disabled, be it

**RESOLVED**, that the contract with Act Now Taxi & Limousine Service Inc., is hereby amended to increase the not to exceed dollar amount payable to Act Now Limousine Service Inc. from \$60,140.00 to \$93,000.00; and be it further

**RESOLVED**, that the description of the Blue Zone be amended to read that the Blue Zone shall include taxi rides originating within the City of Peekskill and ending no further than 6.1 miles from the City limits, with no change in the rate payable for the Blue Zone; and be it further

**RESOLVED**, that this contract 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 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 authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Original Agreement	\$60,140.00
This amendment	<u>\$32,860.00</u>
New Total	\$93,000.00

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	44	2100	4925		\$32,860.00

**Budget Funding Year(s)** 2013                      **Start Date:** \_\_\_\_\_                      **End Date:** \_\_\_\_\_  
 (must match resolution)

<b>Funding Source:</b>	Tax Dollars <u>100%</u> County _____	Contractor Federal I.D. No./ Social Security No.: _____
	State Aid _____	
<u>\$32,860.00</u> (must match resolution)	Federal Aid _____	Vendor No.: <u>732931</u> _____
	Other _____	Encumbrance No.: _____