

42710

DATE: October 16, 2014

TO: Board of Acquisition and Contract

FROM: John B. McCaffrey, Chief Information Officer  
Department of Information Technology

RE: AUTHORITY FOR THE COUNTY OF WESTCHESTER TO AMEND AN AGREEMENT (IT-1300) WITH CAROUSEL INDUSTRIES OF NORTH AMERICA, INC., FOR THE PROVISION OF MAINTENANCE SERVICES NECESSARY FOR THE OPERATION OF THE COUNTY'S ENHANCED 911 SYSTEM BY INCREASING THE NOT-TO-EXCEED AMOUNT OF THE AGREEMENT BY \$1,025,076.03, TO A NEW TOTAL NOT-TO-EXCEED CONTRACT AMOUNT OF \$2,406,645.03, FOR ADDITIONAL SERVICES, AND EXTENDING THE TERM OF THE AGREEMENT TWELVE MONTHS TO A NEW TERMINATION DATE OF JULY 9, 2015.

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BACKGROUND:

- By a resolution approved on January 17, 2013 (the "January 17<sup>th</sup> Resolution"), your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement (IT-1300) with Carousel Industries of North America, Inc. ("Carousel"), pursuant to which Carousel was to provide maintenance for all of the Customer Premise Equipment ("CPE") that is part of each Public Safety Answering Point ("PSAP"), as well as for the overall Cassidian System, in the County's Enhanced 911 system (the "Maintenance Services"), for the period January 10, 2013 through January 9, 2014 for a total amount not to exceed \$930,912.00, payable in two (2) bi-annual payments, at rates not-to-exceed those specified in Carousel's New York State Office of General Services Contract Number PT64255 ("NYS OGS PT64255"). IT-1300 was subsequently executed.
- By a resolution approved on February 27, 2014, your Honorable Board approved a resolution which authorized the County to renew the Agreement for a six month period extending until July 9, 2014 and increasing the not-to-exceed amount \$450,657.00 for a new total not-to-exceed amount of \$1,381,569.00. All other terms and conditions of the Agreement, as amended remained the same.
- The Department of Information Technology (the "Department") now requires continuation of Maintenance Services, beyond those originally provided for in IT-1300 in order to preserve stability for all the CPE that is part of each PSAP in the County's Enhanced 911 system, as well as for the County's overall Cassidian System.

- Accordingly, the Department now comes before your Honorable Board requesting authority to amend IT-1300 in order to, 1) increase the amount not-to-exceed authorized under IT-1300 by \$1,025,076.03, from an amount not-to-exceed \$1,381,569.00 to a new amount not-to-exceed \$2,406,645.03, to pay for the additional Maintenance Services to be provided by Carousel, and 2) extend the term of the agreement twelve (12) months to a new termination date of July 9, 2015. For these additional services, Carousel will be paid at the hourly rates not-to-exceed specified in the NYS OGS PT64255 contract as amended.
- Payment for the Maintenance Services is payable quarterly based upon equipment in-service at the beginning of each quarter, first payment to be made upon the County's execution and approval of the amendment to the agreement.
- The proposed Amendment will serve a public purpose by ensuring that the County has the maintenance services necessary to facilitate the proper functioning of its Enhanced 911 system.
- The goal and objective of the proposed Amendment is to provide for the safety and security of the County's residents by ensuring that the County has the maintenance services necessary to allow its Enhanced 911 system to continue to provide reliable service for residents of Westchester County twenty four hours a day, seven days a week.
- The goal and objective of the proposed Amendment is in the best interests of the County in terms of safety and security, as a properly-maintained Enhanced 911 system is necessary to allow the County to continue to reliably operate that critical public safety system.
- The goal and objective of the proposed Amendment will be tracked and monitored by the staff of the Department of Information Technology.
- The proposed Amendment is exempt from the County's Procurement Policy pursuant to Section 3(a)(i) thereof, based on the County's use of Carousel's NYS OGS PT64255 as the basis for its procurement, as described above.

**ACTION REQUESTED:**

Authorization to amend IT-1300 with Carousel Industries of North America, Inc., having a place of business located at 659 South County Trail, Exeter, Rhode Island 02822, in order to, 1.) increase the amount not-to-exceed authorized under IT-1300 by \$1,025,076.03, to a new total not-to-exceed amount of \$2,406,645.03, for additional services, and 2.) extend the term of the agreement twelve (12) months to a new termination date of July 9, 2015; with all other terms and conditions of IT-1300 remaining the same.

A resolution authorizing the aforementioned amendment to the agreement is submitted herewith for your consideration.

## RESOLUTION

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

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to amend Contract IT-1300 with Carousel Industries of North America, Inc. ("Carousel"), pursuant to which Carousel was to provide maintenance for all of Customer Premise Equipment ("CPE") that is part of each Public Safety Answering Point ("PSAP"), as well as for the overall Cassidian System, in the County's Enhanced 911 system (the "Maintenance Services"), at rates not-to-exceed those specified in Carousel's New York State Office of General Services Contract Number PT64255 ("NYS OGS PT64255"), in order to, 1) increase the amount not-to-exceed authorized under IT-1300 by \$1,025,076.03, from an amount not-to-exceed \$1,381,569.00 to a new amount not-to-exceed \$2,406,645.03, to pay for additional maintenance services of all Customer Premise Equipment ("CPE") that is part of each Public Safety Answering Point ("PSAP"), as well as for the overall Cassidian System, in the County's Enhanced 911 system, and 2) extend the term of the agreement twelve (12) months to a new termination date of July 9, 2015; and be it further

**RESOLVED**, that for the Maintenance Services, the County shall pay Carousel, under the amended Agreement, a total aggregate amount not-to-exceed \$1,025,076.03, as specified below, payable in quarterly payments, at rates not-to-exceed those specified in New York State Office of General Services Contract Number PT64255; and be it further

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

**RESOLVED**, that the proposed Amendment is exempt from the County's Procurement Policy pursuant to Section 3(a)(i) thereof, based on the County's use of Carousel's NYS OGS PT64255 as the basis for its procurement; and be it

**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 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.

Account to be Charged/Credited:  
 Agreement No. IT-1300

Original Agreement: \$ 930,912.00  
 First Amendment: \$ 450,657.00  
**This Amendment: \$1,025,076.03**  
 TOTAL: \$2,406,645.03

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2014	101	16	2000	4140		\$512,538.02
2015	101	16	2000	4140		\$512,538.01

Budget Funding Year(s): 2014, 2015 Start Date: 07/10/14 End Date: 07/09/15  
 (must match resolution)

Funding Source Tax Dollars 100%  
 State Aid \_\_\_\_\_  
\$1,025,076.03 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/23/2014 - JOHNNY VIKAS SECRETARY