

**46334**

TO: Board of Acquisition and Contract

FROM: Sherlita Amler, M. D.  
Commissioner of Health

DATE: April 14, 2015

RE: Authorization to Award Contracts for Transportation of Preschool Children with Special Needs to these Programs/Zones: Alcott School, Scarsdale – Crane Road & Alcott School, Scarsdale – Fox Meadow Road; Cerebral Palsy of Westchester, Inc./United Preschool Center & Family Services of Westchester/Prime Time; Easter Seals of New York, Inc./Project Explore & Hawthorne Foundation, Inc./Hawthorne Country Day; Greenburgh Central School District #7/Greenburgh Early Childhood Program & Union Child Day Care Center, Inc./Stepping Stones; Guidance Center, Inc./Guidance Center, Mamaroneck & Mamaroneck Union Free School District/Mamaroneck Special Needs Pre-K; Regional Transportation Needs – Central Region (8 sites)

Westchester County is mandated by Section 4410, Part 200 of the New York State Education Law, and its subsequent amendments and Article 25, Title IIA of the New York State Public Health Law to provide for transportation to children under five years old with special needs.

On February 26, 2015, your Honorable Board authorized the Westchester County Department of Health (“WCDH”) to advertise for bids for contracts for transportation to the above-listed programs. The WCDH placed a Legal Notice in the Gannett Journal News (southern editions) on March 18, 2015 and made all Bid Documents available for downloading to bidders on the Empire State Purchasing Group website from March 18<sup>th</sup> through April 1<sup>st</sup>, 2015.

On April 1, 2015 the bids were received and opened. The apparent low bidder for Contract WCDH E/T521, TLC Transportation Corp., failed to meet the bid specifications as it did not acknowledge the Bid Addendum for Contract WCDH E/T521, which Bid Addendum changed the scope of the work, and it submitted the incorrect Price Offer Form. TLC Transportation Corp.’s bid for Contract WCDH E/T521 was deemed non-responsive as TLC failed to meet the bid specifications. WCDH recommends the contracts be awarded to the lowest bidders for each Program/Zone as outlined below. The bid sheets are attached.

Contract Number	Program(s)/Zone	Company/Bidder	Not to Exceed Price 1 <sup>st</sup> Year
WCDH E/T516	Alcott School, Scarsdale – Crane Road & Alcott School, Scarsdale – Fox Meadow Road	All County Bus, LLC	\$529,860.00
WCDH E/T517	Cerebral Palsy of Westchester, Inc./United Preschool Center & Family Services of Westchester/Prime Time	Astra Transportation Corp.	773,220.00
WCDH E/T518	Easter Seals of New York, Inc./Project Explore & Hawthorne Foundation, Inc./Hawthorne Country Day	All County Bus, LLC	1,103,160.00
WCDH E/T519	Greenburgh Central School District #7/Greenburgh Early Childhood Program & Union Child Day Care Center, Inc./Stepping Stones	All County Bus, LLC	839,610.00
WCDH E/T520	Guidance Center, Inc./Guidance Center, Mamaroneck & Mamaroneck Union Free School District/Mamaroneck Special Needs Pre-K	All County Bus, LLC	204,870.00
WCDH E/T521	Regional Transportation Needs - Central Regional Zone (8 sites)	Astra Transportation Corp.	2,110,500.00

The contracts will begin on September 1, 2015 and will end on August 31, 2020 and are subject to appropriations. Payments will be made on a per vehicle, per day basis. The not to exceed amounts incorporate the per vehicle prices bid for the first year of service, September 1, 2015 through August 31, 2016. Specific calculations are attached herein. For contract years two through five, the amount payable per vehicle shall be adjusted annually based on fifty percent (50%) of the increase (but not the decrease) in the Consumer Price Index - Public Transportation based on data obtained from The United States Department of Labor's U.S. Cities Average Series ID: CUUR0000SETG.

Performance security in the form of cash, certified check, irrevocable letter of credit, or performance bond is required. The minimum security required is outlined in the attached resolution.

The transportation services provided under these agreements will promote the public health, safety and welfare of approximately five hundred (500) Westchester County children with special needs by enabling daily participation in Special Needs programs through safe transportation. The goals and objectives of these programs are to:

- provide appropriate services to Children from birth to five years with developmental disabilities and/or delays in accordance with their approved Individualized Education Plan (IEP) or Individualized Family Service Plan (IFSP);
- provide these services in the child's least restrictive setting/natural setting through safe transportation.

Monitoring of the Transportation providers, as per the contract requirements, is accomplished through required County pre-approval on all bus routes prior to implementation, random County inspections to ensure provider vehicle safety and staff compliance to County policy, and accuracy of billing by monthly reviews of submitted documentation.

Approval of the attached resolution is respectfully requested.

SA/MY/am  
Attachment

## RESOLUTION

Upon a communication from the Commissioner of Health, it is hereby

RESOLVED, that the County of Westchester is authorized to award contracts, subject to County appropriations, to the following low bidders for transportation of preschool children with disabilities to the programs/regions listed below, for individual not to exceed amounts as listed; that payments will be made on a per vehicle basis for transportation to Alcott School, Scarsdale – Crane Road & Alcott School, Scarsdale – Fox Meadow Road; Cerebral Palsy of Westchester, Inc./United Preschool Center & Family Services of Westchester/Prime Time; Easter Seals of New York, Inc./Project Explore & Hawthorne Foundation, Inc./Hawthorne Country Day; Greenburgh Central School District #7/Greenburgh Early Childhood Program & Union Child Day Care Center, Inc./Stepping Stones; Guidance Center, Inc./Guidance Center, Mamaroneck & Mamaroneck Union Free School District/Mamaroneck Special Needs Pre-K; Regional Transportation Needs – Central Region (8 sites); and that these transporters shall provide performance security in the form of bond, cash, certified check, irrevocable letter of credit or performance bond in the amount indicated:

<b>Contract Number</b>	<b>Program(s)/Zone</b>	<b>Company/Bidder</b>	<b>Not to Exceed Price – 1<sup>st</sup> Year</b>	<b>Security Amount</b>
WCDH E/T516	Alcott School, Scarsdale – Crane Road & Alcott School, Scarsdale – Fox Meadow Road	All County Bus, LLC	\$529,860.00	\$105,972.00
WCDH E/T517	Cerebral Palsy of Westchester, Inc./United Preschool Center & Family Services of Westchester/Prime Time	Astra Transportation Corp.	773,220.00	154,644.00
WCDH E/T518	Easter Seals of New York, Inc./Project Explore & Hawthorne Foundation, Inc./Hawthorne Country Day	All County Bus, LLC	1,103,160.00	220,632.00
WCDH E/T519	Greenburgh Central School District #7/Greenburgh Early Childhood Program & Union Child Day Care Center, Inc./Stepping Stones	All County Bus, LLC	839,610.00	167,922.00
WCDH E/T520	Guidance Center, Inc./Guidance Center, Mamaroneck & Mamaroneck Union Free School District/Mamaroneck Special Needs Pre-K	All County Bus, LLC	204,870.00	40,974.00
WCDH E/T521	Regional Transportation Needs - Central Regional Zone (8 sites)	Astra Transportation Corp.	2,110,500.00	422,100.00

and, be it further,

RESOLVED, that the term of the contracts shall be from September 1, 2015 to August 31, 2020, including a cost of living increase based on fifty percent (50%) of the increase (but not the decrease) in the Consumer Price Index - Public Transportation based on data obtained from The United States Department of Labor's U.S. Cities Average Series ID: CUUR0000SETG shall be applied to contract years two through five; 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 duly appointed designee is authorized to execute said agreements on behalf of the County of Westchester.

Department of Health  
 County of Westchester  
 145 Huguenot Street, 7<sup>th</sup> Floor  
 New Rochelle, New York 10801  
 April 14, 2015

<u>Fund</u>	<u>Dept</u>	<u>Major Program, Program &amp; Phase or Unit</u>	<u>Object/Sub-object</u>	<u>Trust Account</u>	<u>Dollars</u>	<u>Budget Year</u>
101	27	2700	4539		\$ 1,701,847	2015
101	27	2700	4541		\$ 151,893	2015
101	27	2700	4539		\$ 5,124,261	2016
101	27	2700	4541		\$ 457,350	2016
101	27	2700	4539		\$ 5,180,628	2017
101	27	2700	4541		\$ 462,381	2017
101	27	2700	4539		\$ 5,237,614	2018
101	27	2700	4541		\$ 467,467	2018
101	27	2700	4539		\$ 5,295,228	2019
101	27	2700	4541		\$ 472,610	2019
101	27	2700	4539		\$ 3,555,945	2020
101	27	2700	4541		\$ 317,375	2020

Budget Funding Years	2015-2020	Start date	9/1/15	End date	8/31/20
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Funding Source	Tax dollars	51%	\$14,496,545				
	State aid	49%	\$13,928,054				
<b>\$28,424,599</b>	Insurance	0%					
(must match resolution)	Medicaid						