

Memorandum
Department of Public Works and Transportation

52264

DATE: June 21, 2016

TO: The Honorable Board of Acquisition and Contract

FROM: Thomas J. Lauro, P.E.
Acting Commissioner of Public Works and Transportation

Evan Latainer
Director, Office for People with Disabilities

RE: **Authority to enter into a contract with Act Now Limousine Services, Inc. for the provision of For Hire Car Services within the City of White Plains and specific outlying areas to supplement Westchester County's ParaTransit service, for the period from June 1, 2016 through May 31, 2017 in an amount not to exceed \$250,000.00, payable at approved rates, with the County's option to renew the contract for two (2) additional one (1) year periods. (Agreement No. DOTOP10-16)**

Authority is requested for the County of Westchester, acting by and through its Department of Public Works and Transportation and the Office for People with Disabilities (collectively the "County") to enter into an Agreement with Act Now Limousine Services, Inc. ("Act Now") pursuant to which Act Now will provide For Hire Car Services within the City of White Plains and specific outlying areas to supplement Westchester County's ParaTransit service, for the period from June 1, 2016 through May 31, 2017 (the "Agreement"). In consideration for services to be rendered, the County will pay Act Now at the rates set forth in Schedule "A", attached hereto and made a part hereof, not to exceed the aggregate sum of \$250,000.00. In addition, all fares collected, whether from eligible riders or their companions, will be credited to Act Now. The County, at its sole option, may renew the Agreement for up to two additional one-year periods at the rates set forth in Schedule "A", subject to the further approval of your Honorable Board.

The Americans with Disabilities Act mandates that Westchester County provide ParaTransit services for people whose disabilities prevent them from using fixed route buses. The County meets this obligation through its Paratransit Program. The Paratransit Program provides Bee-Line ParaTransit Van Service and Bee-Line Taxi Service for eligible riders. The For Hire Car Service is designed to supplement the van and taxi services.

The County has complied with the Westchester County Procurement Policy and Procedures. On February 19, 2016, the County issued a Request for Proposals (the "RFP") seeking proposals from qualified firms to provide For-Hire Car Service within the City of White Plains and specific outlying areas to supplement the County's ParaTransit service, in compliance with the Americans with Disabilities Act of 1990, as amended, and Section 15-c of the New York State Transportation Law. The RFP was posted on the Westchester County website for RFPs. The County received four (4) proposals in response to the RFP from the following proposers: Castle Cab, Leros, Act Now, and All County Transportation. Although Castle Cab submitted the highest ranked proposal (see Schedule "B", attached hereto), it subsequently withdrew its offer. The County then proceeded to negotiate with Act Now, the second highest ranked proposer. Following negotiations with Act Now, the Department was able to obtain a reduction in the originally proposed "served trip" rate for Zone 2, thereby making Act Now the lowest overall price proposer (see Schedule "C", attached hereto). Since Act Now became the highest ranked proposer (after Castle Cab withdrew its offer), came in with the lowest overall price proposal after negotiation and has been found to meet the needs of the Paratransit Program as outlined in the RFP, the County seeks to award the contract to Act Now.

This contract serves a public purpose as it provides for the safety and welfare of County residents using paratransit services within the County. Performance of the Contractor will be monitored by the Department of Public Works and Transportation to ensure compliance with the contract terms. In view of the continuing importance of the Paratransit Program to the County's residents, I urge approval of the attached resolution.

TJL/CA/EL/jpg
Attachment

RESOLUTION

Upon a communication from the Acting Commissioner of Public Works and Transportation and the Director of the Office for People with Disabilities, be it hereby:

RESOLVED, that the County of Westchester, acting by and through its Department of Public Works and Transportation and the Office for People with Disabilities (the "County"), is authorized to enter into an Agreement with Act Now Limousine Services, Inc. ("Act Now") pursuant to which Act Now will provide For Hire Car Services within the City of White Plains and specific outlying areas to supplement Westchester County's ParaTransit service, for the period from June 1, 2016 through May 31, 2017 (the "Agreement"); and be it further

RESOLVED, that in consideration for services rendered, the County shall pay Act Now at the rates set forth in Schedule "A", attached hereto and made a part hereof, not to exceed the aggregate sum of \$250,000.00; and be it further

RESOLVED, that in addition to paying Act Now at the rates set forth in Schedule "A", all fares collected, whether from eligible riders or their companions, will be credited to Act Now; and be it further

RESOLVED, that the County, at its sole option, may renew the Agreement with Act Now for up to two additional one-year periods at the rates set forth in Schedule "A", attached hereto and made a part hereof, subject to the further approval of the Westchester County Board of Acquisition & Contract; 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, 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 all documents associated with this agreement.

Agreement No. DOTOP10-16

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	44	2100	4925		\$250,000.00

Budget Funding Year(s): 2016 Start Date: June 1, 2016 End Date: May 31, 2017
(must match resolution)

Funding Source: Tax Dollars 100% County

State Aid _____

\$250,000.00 Federal Aid _____
(must match resolution)

Other _____

SCHEDULE "A"

<u>2016</u>	<u>2017</u>	<u>2018</u>
Price per Served Trip	Price per Served Trip	Price per Served Trip
Zone 1 Approx <u>11,365</u>	Zone 1 Approx <u>11,705</u>	Zone 1 Approx <u>12,056</u>
Zone 2 Approx <u>5,657</u>	Zone 2 Approx <u>5,826</u>	Zone 2 Approx <u>6,000</u>
Zone 1 Amount <u>\$12.00</u>	Zone 1 Amount <u>\$12.00</u>	Zone 1 Amount <u>\$13.00</u>
Zone 2 Amount <u>\$23.00</u>	Zone 2 Amount <u>\$23.00</u>	Zone 2 Amount <u>\$24.00</u>

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SCHEDULE "B"

RFP Rating results for White Plains & Vicinity

<u>Proposers</u>	<u>Experience</u>	<u>Staff Qualifications</u>	<u>Understanding Scope of Work</u>	<u>Adherence to Requirements</u>	<u>Intangibles</u>	<u>Totals</u>
*Castle Cab	40	46	47	43	45	221
Lero's	38	42	43	29	45	197
Act Now	41	47	43	38	48	217
All County	38	40	44	25	43	190

*Castle Cab subsequently withdrew its offer

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SCHEDULE "C"

White Plains Car for Hire RFP results

(Cost per Trip)

<u>Zone 1</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Act Now	\$12	\$12	\$13
All County	\$20	\$22	\$24
Castle Cab	\$16	\$17	\$18
Lero's Point to Point	\$20	\$22	\$24
<u>Zone 2</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
*Act Now	\$23	\$23	\$24
All County	\$26	\$28	\$30
Castle Cab	\$22	\$24	\$26
Lero's Point to Point	\$30	\$32	\$34

* Represents the rates obtained following negotiation. The original rates proposed by Act Now were \$25, \$25 and \$26 respectively.

APPROVED BOARD OF ACQUISITION & CONTRACTING 07/14/2016 - LISA MARIJAJ, SECRETARY