

57104

DATE: May 16, 2017

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to amend an agreement (IT-1359) with ASC Services, LLC, pursuant to which it was to provide certain information technology services, by increasing its not-to-exceed amount by \$281,480, to a new not-to-exceed amount of \$676,480, to ensure that adequate funds are available to pay for hourly services during the second Option Term.

By a resolution approved on February 26, 2015 (the “February 26th Resolution”), your Honorable Board authorized the County of Westchester, acting on behalf of the Westchester-Putnam Local Workforce Investment Board (the “WPLWIB”), (the “County”) to enter into an agreement (“IT-1359”) with ASC Staffing, LLC (“ASC”), pursuant to which ASC was to provide certain information technology services (the “Services”) for a project funded by the United States Department of Labor under its H1-B Ready to Work Partnership Grant Program and under the Workforce Investment Act of 1998, as amended, (“WIA”) until the Workforce Innovation and Opportunity Act (“WIOA”) supersedes WIA, and under WIOA thereafter, for a period of one (1) year, commencing upon execution, (the “Initial Term”) with the County having the sole option to extend the term of IT-1359 for up to two (2) additional one (1) year periods thereafter (each an “Option Term”). Under the terms of the February 26th Resolution, ASC was to be paid under IT-1359 an amount not-to-exceed \$150,000, which was to be paid at hourly rates not-to-exceed the following:

<u>Period</u>	<u>1-Year Experience Not-to-Exceed Rate</u>	<u>3-Year Experience Not-to-Exceed Rate</u>	<u>5-Year Experience Not-to-Exceed Rate</u>
Initial Term:	N/A	\$86/hour	\$87/hour
1st Option Term:	N/A	\$88/hour	\$89/hour
2nd Option Term:	N/A	\$89/hour	\$90/hour

IT-1359 was subsequently executed on March 3, 2015. Accordingly, the Initial Term of IT-1359 ended on March 2, 2016.

By a resolution approved on February 25, 2016, your Honorable Board authorized the County to, a.) exercise the County’s first option under IT-1359, and thereby extend the term of IT-1359 by one (1) year, through the first Option Term, to a new expiration date of March 2,

2017, and b.) increase the not-to-exceed amount of IT-1359 by \$75,000, to a new not-to-exceed amount of \$225,000, to ensure that adequate funds would be available to pay for hourly services during the first Option Term; and c.) reflect the change in the name of the limited liability company from ASC Staffing, LLC to ASC Services, LLC (the "First Amendment"). The First Amendment was subsequently executed.

By a resolution approved on August 25, 2016, your Honorable Board authorized the County to amend IT-1359, as amended, by increasing its not-to-exceed amount by \$40,000, to a new not-to-exceed amount of \$265,000, to ensure that adequate funds would be available to pay for hourly services during the first Option Term (the "Second Amendment"). The Second Amendment was subsequently executed.

By a resolution approved on January 19, 2017, your Honorable Board authorized the County to, a.) exercise the County's second and final option under IT-1359, and thereby extend the term of IT-1359, as amended, by one (1) year, through the second Option Term, to a new expiration date of March 2, 2018, and b.) increase the not-to-exceed amount of IT-1359, as amended, by \$130,000, to a new amount not-to-exceed \$395,000, to ensure that adequate funds will be available to pay for hourly services during the second Option Term (the "Third Amendment"). The Third Amendment was subsequently executed.

In order to ensure that adequate funds are available to pay for the hourly services that the County continues to require during the second Option Term, which expires on March 2, 2018, authority is respectfully requested from your Honorable Board for the County to increase the not-to-exceed amount of IT-1359, as amended, by \$281,480, to a new not-to-exceed amount of \$676,480.

Except as described above, all remaining terms and conditions set forth in IT-1359, as amended, shall remain in full force and effect.

The proposed amendment will serve a public purpose by enabling the County to continue receiving the information technology services it needs to upgrade the County's WIOA website in order to ensure that the website can best perform its role in facilitating the work funded by the aforementioned grant and non-grant sources.

The goal and objective of the proposed amendment is to enable the County to continue receiving the information technology services it needs to upgrade the County's WIOA website in order to ensure that the website can best perform its role in facilitating the work funded by the aforementioned grant and non-grant sources.

The goal and objective of the proposed amendment is in the best interests of the County in terms of fiscal responsibility, as these services are aimed at improving the employment opportunities for local residents, which will, in turn, help make them economically independent and less likely to require public assistance.

The goals and objectives of the proposed amendment will be tracked and monitored by the staff of the Department of Information Technology.

I respectfully recommend the adoption of the attached Resolution.

JBM/SF/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/22/2017 - LISA MRIJAJ, SECRETARY

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 an agreement with ASC Services, LLC ("ASC"), pursuant to which ASC was to provide certain information technology services for a project funded by the United States Department of Labor under its H1-B Ready to Work Partnership Grant Program and under the Workforce Investment Act of 1998, as amended, ("WIA") until the Workforce Innovation and Opportunity Act ("WIOA") supersedes WIA, and under WIOA thereafter, for an amount not-to-exceed \$395,000, for the period from March 3, 2015 through March 2, 2018, ("IT-1359") by increasing its not-to-exceed amount by \$281,480, to a new not-to-exceed amount of \$676,480, to ensure that adequate funds are available to pay for hourly services during the second Option Term, which expires on March 2, 2018; and be it further

RESOLVED, that except as specifically hereby authorized to be amended, the terms and conditions set forth in IT-1359 shall remain in full force and effect, and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Agreement No. IT-1359

Original Agreement: \$ 150,000.00
First Amendment: \$ 75,000.00
Second Amendment: \$ 40,000.00
Third Amendment: \$ 130,000.00
Fourth Amendment: \$ 281,480.00
Total: \$ 676,480.00

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
275	22	559P	4531	T559	\$281,480

Budget Funding Year(s): 2017 Start Date: 03/03/17 End Date: 03/02/18
(must match resolution)

Funding Source: \$281,480.00
(must match resolution)

Tax Dollars: _____
State Aid: _____
Federal Aid: \$281,480.00
Other: _____