

62547

TO: Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

Evan Latainer, Director
Office for People with Disabilities

DATE: April 10, 2018

SUBJECT: **Resolution to exercise the County's second option to extend an agreement with Act Now Limousine Service Inc. for Car for Hire services within the City of White Plains and vicinity under the County's Para Transit Program for one (1) year commencing June 1, 2018 through May 31, 2019 at a cost not to exceed \$300,000.00. (DOTOP10-16)**

Pursuant to a resolution approved on July 14, 2016 (the "Resolution"), the County of Westchester (the "County"), acting by and through its Department of Public Works and Transportation, entered into a one (1) year Operating Agreement (the "Agreement") commencing June 1, 2016 with Act Now Limousine Service Inc. for the provision of Car for Hire services within the City of White Plains and vicinity to customers of the County's Para Transit service that opt to utilize a Car for Hire rather than the standard Para Transit service vehicles in an amount not to exceed \$250,000.00. The Resolution and Agreement provided the County the option to renew the Agreement for two (2) additional one (1) year periods. The Agreement was subsequently executed.

Thereafter, by resolution approved on August 10, 2017, your Honorable Board authorized the County to exercise the first of its two (2) one year options to extend the term of the Agreement for an additional one (1) year period commencing on June 1, 2017 and continuing through May 31, 2018 in an amount not-to-exceed \$250,000.00 (the "First Amendment"). The First Amendment was subsequently executed.

Based on the success of this initiative and satisfactory performance by the contractor, the Department is now seeking to exercise its second and final option to extend this agreement for a period of one (1) year from June 1, 2018 through May 31, 2019 in an amount not-to-exceed \$300,000.00.

The extension of this Agreement is in the public's best interest because it will continue to provide a cost effective alternative to traditional Para Transit for ambulatory citizens. There are no energy or environmental components associated with this Agreement.

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.

A proposed resolution is attached for your consideration.

RESOLUTION

Upon a communication from the 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 (“the County”) is hereby authorized to extend the Agreement with Act Now Limousine Service Inc., for the provision of Car for Hire services within the City of White Plains and vicinity to customers of the County’s Para Transit service that opt to utilize a Car for Hire rather than the standard Para Transit service vehicles in an amount not to exceed \$300,000.00, for a one (1) year period June 1, 2018 through May 31, 2019, on the same terms and conditions as the original Agreement and the First Amendment; 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 Contract:	\$250,000.00
First Amendment:	\$250,000.00
This Extension:	<u>\$300,000.00</u>
Total:	\$800,000.00

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		\$300,000.00

Budget Funding Year(s) 2018 Start Date June 1, 2018 End Date May 31, 2019
 (must match resolution)

Funding Source: Tax Dollars 100% County
 State Aid _____
\$300,000.00 Federal Aid _____
 (must match resolution) Other _____