

62920

**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:** May 1, 2018

**SUBJECT:** **Resolution to amend 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 by increasing the not-to-exceed amount under the First Amendment thereto (June 1, 2017 – May 31, 2018) by an additional \$25,000.00, from \$250,000.00 to \$275,000.00, in order to have sufficient funds available to compensate Act Now Limousine Service Inc. for services rendered during this period. (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. ("Act Now") 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.

Thereafter, by Resolution approved on May 3, 2018, your Honorable Board authorized the County to exercise the second 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, 2018 and continuing through May 31, 2019 in an amount not-to-exceed \$300,000.00 (the "Second Amendment"). The Second Amendment is pending execution.

Due to an unexpectedly high volume of activity during the term covered by the First Amendment, the Finance Department has advised that an additional \$25,000.00 will be needed in order to compensate Act Now for services rendered during this period. Accordingly, authority is respectfully requested to further amend the Agreement with Act Now in order to increase the not-to-exceed cap under the First Amendment by an additional \$25,000.00, from an amount not-to-exceed \$250,000.00, to a new amount not-to-exceed \$275,000.00, in order to have sufficient funds available to compensate Act Now for services rendered during this period.

Except as otherwise specifically amended hereby, all remaining terms and conditions under the Agreement, as amended, shall remain in full force and effect.

Board of Acquisition and Contract  
Resolution to Amend Agreement No. DOTOP10-16  
Act Now Limousine Service Inc.  
Car for Hire Services within the City of White Plains and Vicinity  
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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.

HJG/EHL/CA/jpg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT 05/24/2018 - LISAMUJAJ, SECRETARY

# 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 amend an Agreement with Act Now Limousine Service Inc. (“Act Now”), 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 (the “Agreement”), by increasing the not-to-exceed amount under the First Amendment thereto (June 1, 2017 – May 31, 2018) by an additional \$25,000.00, from \$250,000.00 to \$275,000.00, in order to have sufficient funds available to compensate Act Now for services rendered during this period; and be it further

**RESOLVED**, that except as otherwise specifically amended hereby, all remaining terms and conditions under the Agreement, as amended, shall remain in full force and effect; 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
Second Amendment:	\$300,000.00
This Amendment:	<u>\$ 25,000.00</u>
Total:	\$825,000.00

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		\$25,000.00

Budget Funding Year(s): 2017      Start Date: June 1, 2017      End Date: May 31, 2018  
 (must match resolution)

Funding Source:    Tax Dollars    100% County  
                           State Aid        \_\_\_\_\_  
\$25,000.00        Federal Aid    \_\_\_\_\_  
 (must match resolution)    Other            \_\_\_\_\_