

73979

DATE: January 15, 2020

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Marguerite Beirne, Chief Information Officer
Department of Information and Technology

SUBJECT: Authority for the County of Westchester (the "County") to enter into a no cost amendment (the "Third Amendment") to the agreement (IT-1559) with Motorola Solutions, Inc. ("Motorola"), dated December 27, 2018, for the replacement, expansion and evolution of the County's public safety voice radio communications systems to allow Motorola to commence Work and proceed at the Wilmot Road site for Stages 1 and 2.

On December 20, 2018, your Honorable Board approved a resolution authorizing the County, acting by and through its Department of Information Technology (the "Department"), to enter into an Agreement (the "Agreement") with Motorola for the replacement, expansion and evolution of the County's public safety voice radio communications systems (the "December 20th Resolution").

Pursuant to the December 20th Resolution, the County entered into the Agreement with Motorola, dated December 27, 2018.

The Agreement provided that Motorola would not commence certain Work for Stages 1 and 2 at the following nine (9) sites, defined in the Agreement as the "Additional SEQRA Site Locations":

- (1) Dunwoodie
- (2) Mohansic
- (3) Guard Hill
- (4) Wilmot Road
- (5) WHUD
- (6) Montrose VA Hospital
- (7) Crosby Road
- (8) Hardscrabble Road; and
- (9) Mountain Lakes

until the County Board of Legislators adopted the necessary environmental review under the New York State Environmental Quality Review and its implementing regulations (“SEQRA”) and the necessary amendments to Bond Act Nos. 2018-110, 2018-113 and 2018-114, and the County obtained all other necessary legal approvals, including, but not limited to, approval from this Honorable Board, to allow Motorola to proceed with Work at said sites.

On July 15, 2019, by Bond Act Amendment Act Nos. 2019-146, 2019-147 and 2019-148, the County Board of Legislators adopted the necessary SEQRA review and amended Bond Act Nos. 2018-110, 2018-113 and 2018-114 for the following eight (8) of the nine (9) Additional SEQRA Site Locations:

- (1) Dunwoodie
- (2) Mohansic
- (3) Guard Hill
- (4) Wilmot Road
- (5) WHUD
- (6) Montrose VA Hospital
- (7) Hardscrabble Road; and
- (8) Mountain Lakes.

Moreover, pursuant to a resolution approved on October 31, 2019, your Honorable Board authorized the County to enter into a no cost amendment (the “First Amendment”) with Motorola to allow Work to commence at the following three (3) Additional SEQRA Site Locations for Stages 1 and 2:

Dunwoodie;
Mountain Lakes and
Mohansic.

The First Amendment was duly executed on November 21, 2019.

The County still needs to acquire the necessary property rights e.g., license and leasehold interest, to commence Work at site (3) Guard Hill, site (5) WHUD, site (6) Montrose VA Hospital, and site (7) Hardscrabble Road, listed above.

With regard to site (4) Wilmot Road listed above, the County recently acquired the necessary property rights to commence Work at that site. Therefore, authorization is being requested to enter into a no cost amendment (the “Third Amendment”) with Motorola to allow Work to commence at the Wilmot Road site for Stages 1 and 2.

Please note that on October 31, 2019, your Honorable Board authorized the County to enter into a second amendment to the Agreement (the “Second Amendment”) for the approval of change order nos. 1-8 to the Work for Stages 1 and 2. The Second Amendment was duly executed on November 21, 2019.

Except as modified herein, all terms and conditions of the Agreement, as amended by the First Amendment and Second Amendment, shall remain in full force and effect.

Accordingly, I most respectfully recommend the adoption of the annexed proposed Resolution.

MB/ran
Encl.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/23/2020 - LISA MRIJAJ, SECRETARY

RESOLUTION

Upon a communication from the Chief Information Officer of the Department of Information and Technology, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Information Technology (the "Department"), is hereby authorized to enter into a no cost amendment (the "Third Amendment") to the Agreement with Motorola Solutions, Inc. ("Motorola"), dated December 27, 2018, as amended by the First Amendment, dated November 21, 2019, and the Second Amendment, dated November 21, 2019 (collectively, the "Agreement") for the replacement, expansion and evolution of the County's public safety voice radio communications systems to allow Work to commence at the following Additional SEQRA Site location for Stages 1 and 2:

Wilmot Road

pursuant to the terms of the Agreement, and be it further

RESOLVED, that except as modified herein, all terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute and deliver any documents and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/Credited:

Agreement Number: IT-1559
 Original Agreement: \$43,206,251.00
 First Amendment \$ 0.00
 Second Amendment: \$ 608,890.90
 This Amendment: \$0.00
 TOTAL \$43,815,141.90

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
						N/A

Budget Funding Year(s): _____ Start Date: _____ End Date: _____

Funding Source Tax Dollars: N/A

State Aid _____

\$N/A Federal Aid: _____

(must match resolution) Other: _____