

77605

Date: June 25, 2020

To: Honorable Members of the Board of Acquisition and Contract

From: Marguerite Beirne, Chief Information Officer  
Department of Information Technology

Re: Authority for the County of Westchester to enter into a no cost amendment to the agreement with Motorola Solutions, Inc., dated December 27, 2018, for the replacement, expansion and evolution of the County's public safety Voice Radio Communications systems (IT-1559) to authorize Motorola to commence Work and proceed at the WHUD site for Stages 1 and 2.

---

On December 20, 2018, your Honorable Board approved a resolution authorizing the County of Westchester (the "County"), acting by and through its Department of Information Technology (the "Department"), to enter into an agreement with Motorola Solutions, Inc. ("Motorola") for the replacement, expansion and evolution of the County's first responder and transit (Bee Line Bus) Voice Radio Communications systems (the "Agreement"). On December 27, 2018, the Agreement was duly executed for the not to exceed amounts of \$43,206,251.00 for Stages 1 and 2.

Pursuant to a Resolution approved on October 13, 2019, your Honorable Board authorized the County to enter into a first amendment to the Agreement to authorize Motorola to commence work at three (3) Additional SEQRA Site locations, to wit, Dunwoodie, Mountain Lakes and Mohansic (the "First Amendment"). The First Amendment was duly executed on November 21, 2019.

Pursuant to a Resolution approved on October 13, 2019, your Honorable Board authorized the County to enter into a second amendment to the Agreement with Motorola for the approval of Change Order Nos. 1-8 to the Work for Stages 1 and 2 in the amount not to exceed \$608,890.90 bringing the new total not to exceed amount for Stages 1 and 2 to \$43,815,141.90 (the "Second Amendment"). The Second Amendment was duly executed on November 21, 2019.

Pursuant to a Resolution approved on January 23, 2020, your Honorable Board authorized the County to enter into a third amendment to the Agreement with Motorola to commence Work at an Additional SEQRA Site location, to wit, the Wilmot Road site (the "Third Amendment"). The Third Amendment was duly executed on February 23, 2020.

On January 23, 2020, the parties executed Change Order No. 9 to clarify the price of the subscriber warranty, which, pursuant to Section 2 (f) of the Primary Agreement, did not require a formal Amendment to the Agreement, as amended, because it did not: (1) result in an increase to the total amount payable under the Agreement, (2) extend the duration of the Agreement, or (3) substantially change the Work performed under the Agreement.

Pursuant to a Resolution approved on April 23, 2020, your Honorable Board authorized the County to enter into a fourth amendment to the Agreement with Motorola to approve Change Order Nos. 10-13 to the Work for Stages 1 and 2 in the amount not to exceed of \$189,183.21 bringing the new total not to exceed amount for Stages 1 and 2 to \$44,004,325.11 (the "Fourth Amendment"). The Fourth Amendment was duly executed on May 6, 2020.

Pursuant to a Resolution approved on April 30, 2020, your Honorable Board authorized the County to enter into a fifth amendment to the Agreement to amend the payment milestone in Item 10 of Schedule "C" of the Agreement for certain fixed network equipment ("FNE") for the Sun Valley site and the Montrose VA Hospital site (the "Fifth Amendment"). The Fifth Amendment was duly executed on May 20, 2020.

Pursuant to a Resolution approved on June 12, 2020, your Honorable Board authorized the County to enter into a sixth amendment to the Agreement to authorize the commencement of Work at an Additional SEQRA Site location, to wit, the Hardscrabble Road site (the "Sixth Amendment"). The Sixth Amendment was duly executed on June 17, 2020.

The County recently acquired the authority from the County Board and your Honorable Board to secure the necessary property rights to commence Work at 22 Sky Lane, Philipstown, New York (the "WHUD Site"). Therefore, authorization is now being requested to enter into a no cost amendment with Motorola to allow Work to commence at the WHUD Site for Stages 1 and 2.

The proposed no cost amendment will be tracked and monitored by the staff of the Department of Information Technology.

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

Accordingly, the attached resolution is submitted for your consideration.

MB/ran

Attachment

**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 to the agreement with Motorola Solutions, Inc. (“Motorola”), dated December 27, 2018, as amended, for the replacement, expansion and evolution of the County’s public safety voice radio communications systems (the “Agreement”) to allow Work to commence at the following Additional SEQRA Site location for Stages 1 and 2:

22 Sky Lane, Philipstown, New York (the WHUD Site)

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.

Agreement Number: IT-1559  
 Original Agreement: \$ 43,206,251.00  
 First Amendment \$ 0.00  
 Second Amendment: \$ 608,890.90  
 Third Amendment \$ 0.00  
 Fourth Amendment \$ 189,183.21  
 Fifth Amendment \$ 0.00  
 Sixth Amendment \$ 0.00  
This Amendment \$ 0.00  
 TOTAL \$ 44,004,325.11

Account to be Charged/ Credited							
	Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account or Bond Act	Dollars
							N/A

Budget Funding Year(s): N/A Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
 (must match resolution)

Funding Source Tax Dollars: N/A  
 State Aid: \_\_\_\_\_  
N/A Federal Aid: \_\_\_\_\_  
 (must match resolution) Other: \_\_\_\_\_