

100893

DATE: April 27, 2023

TO: Board of Acquisition and Contract

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

SUBJECT: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, the procurement of additional services, including additional legal support, from TransPro Consulting LLC, under a second amendment to its agreement to provide consulting services for the preparation of a request for proposals, and the award of one or more contracts, for professional management, operation, and maintenance services for the County of Westchester's Bee-Line Bus System. (Agreement No. DOTOP06-22, as amended)

Authority is respectfully requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, the procurement of additional services, including additional legal support (the "Further Services"), for an amount not-to-exceed \$138,953.00, under a second amendment (the "Second Amendment") to an agreement between the County of Westchester (the "County") and TransPro Consulting LLC ("TransPro"), pursuant to which TransPro agreed to provide consulting services for assistance with the preparation of a request for proposals (the "Bee-Line RFP"), and the award of one or more contracts, for professional management, operation, and maintenance services for the County's Bee-Line Bus System, (the "Services") for a term commencing upon execution and continuing until the completion of all Services, for an amount not-to-exceed \$382,154.00 (the "Agreement").

The County has determined that it now intends to obtain, from TransPro, the Further Services, which will include additional services concerning project-management; additional services, including additional legal services, to develop a draft contract form for the services being solicited by the Bee-Line RFP, with said draft to be issued as an addendum to the Bee-Line RFP after its issuance; additional services to support in-person, on-site interviews with proposers that submit proposals in response to the Bee-Line RFP; and additional services, including additional legal services, to create the final, for-execution contract form for the services solicited by the Bee-Line RFP.

Since the Agreement was executed in September 2022, TransPro has been providing the County with the Services, including the services that were added through a first amendment. Accordingly, TransPro is not only a subject matter expert regarding the Services and the proposed Further Services, but TransPro has also spent the past few months developing important knowledge of the County and its Bee-Line Bus System. There is also expected to be substantial interplay between the Services and the Further Services. Therefore, procuring the Further Services from TransPro is anticipated to save time, provide operational efficiencies, and potentially save additional expense versus procuring the Further Services from a new consultant, which would be an entity that is likely not familiar with the County and, as a third party, necessitate complicated, on-going collaboration.

Based upon the foregoing, it is proposed that the best interests of the County would be served by exempting from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, the procurement of the Further Services, under the proposed Second Amendment.

Accordingly, I respectfully recommend the adoption of the attached resolution.

HJG/MS/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/18/2023 RAYMOND S. DUKAKIS SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, be it hereby:

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of additional services, including additional services concerning project-management; additional services, including additional legal services, to develop a draft contract form for the services being solicited by the Bee-Line RFP (as defined below), with said draft to be issued as an addendum to the Bee-Line RFP after its issuance; additional services to support in-person, on-site interviews with proposers that submit proposals in response to the Bee-Line RFP; and additional services, including additional legal services, to create the final, for-execution contract form for the services solicited by the Bee-Line RFP (the "Further Services"), for an amount of \$138,953.00, under a second amendment to an agreement between the County and TransPro Consulting LLC ("TransPro"), pursuant to which TransPro agreed to provide consulting services for assistance with the preparation of a request for proposals (the "Bee-Line RFP"), and the award of one or more contracts, for professional management, operation, and maintenance services for the County's Bee-Line Bus System, (the "Services") for a term commencing upon execution and continuing until the completion of all Services, for an amount not-to-exceed \$521,107.00.

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
RAYMOND S. SISK, SECRETARY