

100894

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: Authority to enter into a second amendment with TransPro Consulting LLC, for additional services, including additional legal support, under 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, for a term commencing upon execution and continuing until the completion of all services required under the agreement, for an additional amount not-to-exceed \$138,953.00. (Agreement No. DOTOP06-22, as amended)

By a resolution approved on July 28, 2022, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with TransPro Consulting LLC ("TransPro") to provide consulting services for assistance with 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 (the "Bee-Line RFP"), (the "Services") for a term commencing upon execution and continuing until the completion of all Services, for an amount not-to-exceed \$279,854.00, payable pursuant to an approved budget (the "Original Agreement"). The Original Agreement was subsequently executed.

By a resolution approved on December 8, 2022, your Honorable Board authorized the County to amend the Original Agreement by, a.) modifying its scope of work to include conducting a survey to establish a baseline of customer satisfaction and providing additional legal support for the Services (the "Additional Services"), and b.) increasing its not-to-exceed amount by, and modifying its budget to allocate, \$102,300.00 in costs for the Additional Services (the "First Amendment"). The First Amendment was subsequently executed.

The County has determined that it now intends to obtain from TransPro 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 (the "Further Services").

Accordingly, the County respectfully requests authority from your Honorable Board to amend the Original Agreement, as amended by the First Amendment, (the "Agreement") by, a.) modifying its scope of work to include the Further Services, and b.) increasing its not-to-exceed amount by, and modifying its budget to allocate, \$138,953.00 in costs for the Further Services (the "Second Amendment").

Except as specifically described above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed Second Amendment will serve a public purpose by providing the County with the additional consulting services necessary to ensure that the Bee-Line RFP is expertly prepared and successfully concluded.

The goal and objective of the proposed Second Amendment is to provide the County with the additional consulting services necessary to ensure that the Bee-Line RFP is expertly prepared and successfully concluded.

The goal and objective of the proposed Second Amendment is in the best interests of the County in terms of fiscal responsibility, as it has been concluded that it will aid cost-efficiency in the Bee-Line RFP process, and any resulting agreement(s), if the Further Services are received by the County.

The goal and objective of the proposed Second Amendment will be tracked and monitored by the staff of the Department of Public Works and Transportation, in consultation with the steering committee established for this overall project, which is comprised of County staff across multiple departments.

Authority to exempt the procurement of the Further Services, under the proposed Second Amendment, from the requirements of the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, has been requested from your Honorable Board by a separate resolution.

I respectfully recommend the adoption of the attached resolution.

HJG/MS/bdm/mn

RESOLUTION

Agreement No. DOTOP06-22 – Second Amendment

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

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to amend its agreement with TransPro Consulting LLC (“TransPro”), pursuant to which TransPro was 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 of Westchester’s Bee-Line Bus System, (the “Services”) for a term commencing upon execution and continuing until the completion of all Services, for a total amount not-to-exceed \$382,154.00, (the “Agreement”) by, a.) modifying its scope of work to 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 (the “Further Services”), and b.) increasing its not-to-exceed amount by, and modifying its budget to allocate, \$138,953.00 in costs for the Further Services; and be it further

RESOLVED, that except as hereby authorized to be amended, all terms and conditions of the Agreement shall remain in full force and effect; and be it further resolved; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this resolution.

APPROVED BOARD OF ACQUISITION # CONTRACT - 05/18/2022 - 2023 COUNTY OF WESTCHESTER

DOTOP06-22

Original Agreement: \$279,854.00
1st Amendment: \$102,300.00
This Amendment: \$138,953.00
Total: \$521,107.00

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	44	1000	4420		\$138,953.00

Budget Funding Year(s): 2023 Start Date: Upon execution End Date: Completion of all services
(must match resolution)

Funding Source
\$138,953.00
(must match resolution)

Tax Dollars: 100%
State Aid: _____
Federal Aid: _____
Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/18/2023 - RAYMOND SCHUKY, SECRETARY