

12219



Memorandum  
Department of Transportation

TO: Board of Acquisition and Contract

FROM: John J. Hsu, P.E., Acting Commissioner  
Department of Transportation

DATE: July 8, 2010

SUBJECT: RESOLUTION TO AUTHORIZE THE COUNTY OF WESTCHESTER TO ENTER INTO A 4<sup>TH</sup> AMENDMENT OF AN AGREEMENT WITH MACRO CORPORATION FOR PROFESSIONAL CONSULTING SERVICES IN CONNECTION WITH INSTALLATION OF AN ELECTRONIC TRANSIT (DATA) COMMUNICATION SYSTEM FOR THE BEE-LINE SYSTEM INCREASING THE NOT TO EXCEED AMOUNT BY ONE HUNDRED TWENTY-FIVE THOUSAND FIVE HUNDRED FIFTY-EIGHT DOLLARS (\$125,558), FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED ONE MILLION EIGHT HUNDRED SIXTY-EIGHT THOUSAND SEVEN HUNDRED FORTY-SEVEN DOLLARS (\$1,868,747) PAYABLE PURSUANT TO AN APPROVED BUDGET AND SUBJECT TO FUTURE APPROPRIATION, AND TO EXTEND THE TERMINATION DATE FROM DECEMBER 31, 2010 TO JANUARY 30, 2012

On February 13, 2003 the Board of Acquisition and Contract approved a Resolution to authorize the County of Westchester to enter into an agreement with Macro Corporation for professional consulting services in connection with the design and installation of an electronic transit data communication system for the Bee-Line Bus System, and integration of that system with the County-wide trunked voice communication system. The not to exceed fee was to be Four Hundred Seventeen Thousand Dollars (\$417,000.00), payable pursuant to an approved budget and subject to future appropriation, for the term commencing February 1, 2003 and ending December 31, 2007. The agreement was subsequently executed.

First Amendment:

Authority was further granted by this Board in a Resolution approved on June 9, 2005 to amend the agreement with Macro Corporation, increasing the not to exceed fee by Three Hundred Fifty Thousand Dollars (\$350,000), for a total contract amount not to exceed Seven Hundred Sixty-Seven Thousand Dollars (\$767,000). This additional \$350,000 was due to the requirement for new radio frequencies, additional equipment for the fixed base transmitter sites, and additional Quality Assurance/Program Management services. The amendment was subsequently executed.

## Second Amendment:

Authority was further granted by this Board in a Resolution approved on August 30, 2007 to amend the agreement with Macro Corporation, to increase the not to exceed fee by Six Hundred Thousand Dollars (\$600,000), for a total contract amount not to exceed One Million Three Hundred Sixty-Seven Thousand Dollars (\$1,367,000) and extend the termination date from 12/31/07 – 7/31/09. The amendment was necessitated by Westchester County DOT's request for Macro Corporation to perform additional work in specification development, contract negotiations and revisions, farebox interface specifications, CMF control center design, project schedule revisions, new radio site addition of tectonics engineering for new radio site designs, engineering drawings, and out of County building permit approvals. The amendment was subsequently executed.

## Third Amendment:

Authority was further granted by this Board in a Resolution approved on May 28, 2009 to amend the agreement with Macro Corporation for an additional Three Hundred Seventy-Six Thousand One Hundred Eighty-Nine Dollars (\$376,189), for a total contract amount not to exceed One Million Seven Hundred Forty-Three Thousand One Hundred Eighty-Nine Dollars (\$1,743,189) and to extend the termination date from July 31, 2009 to December 31, 2010. Additional work was added to the scope requiring Macro to: evaluate the acquisition of a automatic vehicle locator system for approximately 70 paratransit vans that were not anticipated in the initial scope; and evaluate the integration of the bus locator system with a traffic signal replacement program on Central Avenue in White Plains and Greenburgh as part of the Bus Rapid Transit program for the entire Central Avenue corridor, which was not foreseen in the original scope.

## **Proposed Fourth Amendment:**

Authority is now requested to further amend the agreement with Macro Corporation for an additional One Hundred Twenty-Five Thousand Five Hundred Fifty-Eight Dollars (\$125,558), for a total contract amount not to exceed One Million Eight Hundred Sixty-Eight Thousand Seven Hundred Forty-Seven Dollars (\$1,868,747), payable pursuant to an approved budget and subject to future appropriation and to extend the termination date from December 31, 2010 to January 30, 2012.

The increase proposed in this resolution reflects the cost of that additional work, to be funded as follows: 80% Federal grant / 10% State grant / 10% County funds.

The program completion based on the original project schedule date has been delayed by the need for additional work to customize the Automated Vehicle Location (AVL) system to the unique scheduling and data systems used by the Westchester bus operators and the fact that extensive testing still remains to be completed prior to full bus fleet installation. Subsequently, the target for the warranty period and complete system acceptance has been extended.

In summary:

- Remaining Macro Corporation project tasks leading up to system acceptance include the mini-fleet tests and retests, as well as other formal tests to demonstrate full operational capability.
- Macro has also been required to increase the amount of time it will devote to performance and Factory Acceptance Testing (FAT) of the Farebox system interface that remains to be completed on site at ACS Corporation. This phase delay was due to other system component initial testing that was significantly delayed by the farebox vendor. Farebox testing before acceptance of the integrated system is a requirement.

Additional work tasks are required to allow Macro to complete the following tasks:

- Remaining coordination support for extended testing, contract closeout support and remaining project management meetings
- Macro must coordinate the integration of document reviews including manuals, test procedures, hardware inventories, software inventories/licenses, availability test procedures and calculations, and Radio system (TCS) "as built" documentation which has also been delayed, but was included in the original scope. (See attached Schedule A-4)

The Goals and Objectives of this amendment are to ensure the compliance of the CAD-AVL system vendor with the terms of the acquisition and installation contract. Failure to approve the amendment will risk loss of expertise, control and quality assurance in the final installation and testing phases of the project. There is also a potential for long term loss of some system performance resulting from failure to recognize critical issues during the warranty period.

The activation of the automatic vehicle locator system for the fixed route bus system will be a significant improvement in the County's effort to make service operations more economically efficient for taxpayers while improving responsiveness of the services to users.

All project components are actively monitored by Department of Transportation personnel through weekly progress meetings. Macro Corporation will be paid based upon invoices submitted for their work and approved by the Department of Transportation.

## RESOLUTION

Upon a communication from the Acting Commissioner of Transportation, it is hereby;

**RESOLVED**, that the County of Westchester is authorized to amend an agreement with Macro Corporation to increase the not to exceed amount by an additional One Hundred Twenty-Five Thousand Five Hundred Fifty-Eight Dollars (\$125,558), for a total contract amount not to exceed One Million Eight Hundred Sixty-Eight Thousand Seven Hundred Forty-Seven Dollars (\$1,868,747) payable pursuant to an approved budget and subject to future appropriation; and be it further

**RESOLVED**, that the County of Westchester is authorized to further amend the agreement with Macro Corporation to extend the termination date from December 31, 2010 to January 30, 2012; and be it further

**RESOLVED**, that all other terms and conditions of the agreement with Macro Corporation shall remain unchanged; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby empowered to execute any and all instruments and take such other actions as may reasonably be necessary to effectuate the purposes thereof.

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-13-2010 - JOMARY MORA, SECRETARY

Original Agreement      \$417,000  
 First Amendment        \$350,000  
 Second Amendment      \$600,000  
 Third Amendment        \$376,189  
**This Amendment**       **\$125,558**  
 TOTAL                      \$1,868,747

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
365	44	T0006-07-S	6190-01	NA	\$125,558

Budget Funding Year(s) 2003-2012      Start Date 2/1/03                      End Date 1/30/12  
 (must match resolution)

Funding Source	Tax Dollars	<u>\$12,556 (10%)</u>
	State Aid	<u>\$12,556 (10%)</u>
	Federal Aid	<u>\$100,446(80%)</u>
<u>\$125,558</u>	Other	<u>NA</u>

(must match resolution)

DOT 09-08

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-15-2010 - JOMARY VIEIRA, SECRETARY