

**15755**

TO: Board of Acquisition and Contract

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

DATE: December 1, 2010

RE: AUTHORITY TO ENTER INTO AGREEMENTS WITH P.T.L.A. ENTERPRISE, INC. AND PORT CHESTER-RYE TRANSIT, INC., AND TO AUTHORIZE PAYMENTS TO LIBERTY LINES TRANSIT, INC., P.T.L.A. ENTERPRISE, INC. AND PORT CHESTER-RYE TRANSIT, INC. FOR THE PROVISION OF PUBLIC TRANSPORTATION SERVICES FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2011 FOR AN AMOUNT NOT TO EXCEED \$96,736,563.00

It is anticipated that the 2011 Department of Transportation Operating Budget will include funding for operating assistance for the privately owned bus companies that provide transit service in Westchester. This funding, subject to future appropriation, will be for the period January 1, 2011 through December 31, 2011.

The Westchester County Bee-Line Transit System is the second largest transit system in New York State and will carry over 32 million passengers in 2011. The services are provided by Liberty Lines Transit, Inc., P.T.L.A. Enterprise, Inc. and Port Chester-Rye Transit, Inc. It is estimated that the total bus operating assistance required to fund the operations of the County's Bee-Line System for 2011 will be an amount not to exceed \$96,736,563.00 as follows:

<u>Bus Company</u>	<u>Allocation Amount</u>
Liberty Lines Transit, Inc.	\$94,117,735.00
P.T.L.A. Enterprise, Inc.	\$ 2,255,157.00
Port Chester-Rye Transit, Inc.	\$ 363,671.00
<b>Total</b>	<b><u>\$96,736,563.00</u></b>

The attached resolution indicates the amount allocated to each bus company so that they may be reimbursed according to their monthly financial reports. This resolution may require modification once the 2011 Operating Budget for Westchester County is adopted by the Board of Legislators.

In view of the importance of this public transportation service, I recommend approval of the attached resolution.

# RESOLUTION

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

**RESOLVED**, that the County of Westchester is authorized to enter into agreements with P.T.L.A. Enterprise, Inc. and Port Chester-Rye Transit, Inc., and to authorize payments to Liberty Lines Transit, Inc., P.T.L.A. Enterprise, Inc. and Port Chester-Rye Transit, Inc. for the provision of public transportation services for the period January 1, 2011 through December 31, 2011, subject to future appropriations as follows:

<u>Bus Company</u>	<u>Allocation Amount</u>
Liberty Lines Transit, Inc.	\$94,117,735.00
P.T.L.A. Enterprise, Inc.	\$ 2,255,157.00
Port Chester-Rye Transit, Inc.	<u>\$ 363,671.00</u>
<b>Total</b>	<b><u>\$96,736,563.00</u></b>

; and be it further

**RESOLVED**, that these agreements and authorization for payments are subject to County appropriations; and be it further

**RESOLVED**, that these Agreements and authorization for payments are also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of these Agreements. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate these Agreements or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Mass Transportation Companies, then they shall have the right to terminate their Agreement upon reasonable prior written notice; 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.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	44	2100	4924		\$96,736,563.00

Budget Funding Year(s) 2011      Start Date January 1, 2011      End Date December 31, 2011  
 (must match resolution)

Funding Source	Tax Dollars	<u>\$49,335,647.00</u>
	State Aid	<u>\$34,825,163.00</u>
	Federal Aid	<u>\$12,575,753.00</u>
<u>\$96,736,563.00</u>	Other	_____

(must match resolution)