

15757

DATE: December 03, 2010

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne  
Chief Information Officer  
Department of Information Technology

John J. Hsu, P.E.  
Commissioner  
Department of Public Works

RE: AUTHORIZATION TO AMEND CONTRACT (IT-776) WITH ASSETWORKS, INC., INCREASING THE AMOUNT BY \$28,890 TO A NEW TOTAL NOT TO EXCEED AMOUNT OF \$364,063 FOR CONTINUATION OF SUPPORT AND MAINTENANCE FOR THE HARDWARE AND SOFTWARE COMPONENTS OF THE FLEET MANAGEMENT SYSTEM UTILIZED BY THE DEPARTMENT OF PUBLIC WORKS FOR A NEW TERMINATION DATE OF DECEMBER 31, 2011

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BACKGROUND:

- In resolutions approved on January 12<sup>th</sup>, March 2<sup>nd</sup> and November 22, 2006, and February 14<sup>th</sup> and August 14<sup>th</sup>, 2008, your Honorable Board approved resolutions which authorized entering into an agreement and amendments with Maximus, Inc. ("Maximus"), for the InfoCenter web reporting and MobileFocus software licenses; the consulting and training services to upgrade our existing fleet maintenance management software; installation and implementation of the InfoCenter web reporting and MobileFocus software; and the installation and implementation of the fuel management module known as FuelFocus for the Department of Public Works (DPW), for a term totaling five years commencing on January 1, 2006 and terminating on December 31, 2010, for a total not to exceed contract amount of \$335,173. The contract (IT-776) and amendments authorized in these resolutions were subsequently executed and approved.
- On December 11, 2008, your Honorable Board approved a resolution to assign agreement IT-776 from Maximus, Inc. to AssetWorks, Inc. with all of the same terms and conditions of the agreement as previously stated. The assignment and amendment authorized in this resolution were subsequently executed and approved.
- An extension of support and maintenance for the hardware and software components of the current Fleet Management System is needed for an additional cost of \$28,890 with a new termination date of December 31, 2011. This extension will also include services to upgrade to the current release levels of FleetFocus, FuelFocus InfoCenter, and all related modules. The additional hardware and software support along with upgrade services will bring the new total not to exceed amount to \$364,063.
- Due to the proprietary nature of the system, AssetWorks, Inc. is the only entity that can provide this support and maintenance. Accordingly, we recommend that your Honorable Board deem this agreement to be a sole source procurement pursuant to Section 9 of the County Procurement Policy.

- The public purpose of this contract is to provide properly maintained County vehicles which will produce fewer emissions and are safer to operate than vehicles that are not regularly maintained, thereby benefiting the public good. Information about storage tanks and early detection of possible leakage improves public health and safety. Complete information for managing fuel purchase and consumption in a centralized system leads to vehicles less likely to waste fuel and reduces theft, saving taxpayer money. This system also accurately tracks and charges back the costs of fleet services to appropriate departments, saving additional staff time and effort and thereby reducing cost.
- The goals and objectives of the system and services provided for in this agreement are to maintain and upgrade the system that enables DPW fleet operations to operate efficiently, thereby maintaining the level of fiscal responsibility achieved by use of the system. Progress toward these goals will be monitored by DPW and DoIT staff and measured against a pre-defined schedule.

ACTION REQUESTED:

- Authorization to amend Contract IT-776 with AssetWorks, Inc., having a place of business located at 998 Old Eagle School Road, Suite 1215, Wayne, Pennsylvania 19087, for hardware and software support and maintenance of the Fleet Management System for the Department of Public Works through December 31, 2011, increasing the amount by \$28,890 for a new total not to exceed amount of \$364,063, payable pursuant to an approved schedule, and subject to County appropriations. Accordingly, the attached resolution is submitted for your consideration.

MCB:JJH:RJL

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12-16-2010 JIM R. VERA, SECRETARY

# RESOLUTION

UPON A COMMUNICATION FROM THE CHIEF INFORMATION OFFICER, DEPARTMENT OF INFORMATION TECHNOLOGY AND THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS, BE IT HEREBY

**RESOLVED**, that the County of Westchester is hereby authorized to amend Contract IT-776 with AssetWorks, Inc., having a place of business located at 998 Old Eagle School Road, Suite 1215, Wayne, Pennsylvania 19087, for a termination date of December 31, 2011, increasing the amount by \$28,890 for a total not to exceed amount of \$364,063, payable pursuant to an approved schedule, for hardware and software support costs as well as software upgrade costs of the Fleet Management System utilized by the Department of Public Works; and be it further

**RESOLVED**, that this Agreement is deemed to be a sole source procurement pursuant to Section 9 of the Westchester County Procurement Policy; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement is 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 this Agreement. 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 this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that all other terms and conditions of the agreement shall remain the same; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes hereof.

Original Agreement:	\$ 31,676
First Amendment:	\$ 12,534
Second Amendment:	\$ 45,963
Third Amendment:	\$245,000
Fourth Amendment:	\$ -0-
<b>This Amendment:</b>	<b>\$ 28,890</b>
<b>Total:</b>	<b>\$364,063</b>

Contract No. **IT-776**  
Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2011	101	16	6000	4070		\$28,890

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

Funding Source	Tax Dollars: <u>\$28,890</u>
	State Aid _____
<u>\$28,890</u>	Federal Aid _____
(must match resolution)	Other _____