

22461

TO: Board of Acquisition and Contract

FROM: John J. Hsu, P.E.
Commissioner of Public Works and Transportation

Marguerite Beirne
Chief Information Officer
Department of Information Technology

DATE: October 20, 2011

RE: AUTHORITY TO AMEND AN AGREEMENT WITH TRAPEZE SOFTWARE GROUP, INCORPORATED TO INCLUDE EXTENDED MAINTENANCE AND SUPPORT FOR THE CUSTOMER INFORMATION SOFTWARE SYSTEM FOR AN ADDITIONAL AMOUNT NOT TO EXCEED SEVEN HUNDRED TWENTY SIX THOUSAND TWO HUNDRED TWENTY SIX DOLLARS (\$726,226), FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED ONE MILLION SIX HUNDRED SEVENTY SIX THOUSAND TWO HUNDRED TWENTY SIX DOLLARS (\$1,676,226) PAYABLE PURSUANT TO AN APPROVED BUDGET AND SUBJECT TO FUTURE APPROPRIATION, AND TO EXTEND THE TERMINATION DATE FROM DECEMBER 14, 2011 TO DECEMBER 31, 2016

On November 26, 2003, the Board of Acquisition and Contract approved a resolution to exempt from the Westchester County Procurement Policy and Procedures, an agreement with Trapeze Software Group, Incorporated for the purchase of a customer information software system with maintenance support for the Westchester County Department of Transportation.

Also, on November 26, 2003, the Board of Acquisition and Contract approved a resolution for the Westchester County Department of Transportation to enter into an agreement with Trapeze Software Group, Incorporated for the purchase of a customer information software system with maintenance support, in an amount not to exceed \$750,000 for a term of three (3) years commencing December 15, 2003 and terminating December 14, 2006.

On April 27, 2006 the Board of Acquisition and Contract approved a resolution for the Westchester County Department of Transportation to amend the contract with Trapeze Software Group, Incorporated, for an additional \$200,000, for a total contract amount not to exceed \$950,000 and to extend the contract for an additional three (3) years commencing December 15, 2006 and terminating December 14, 2009.

On November 24, 2009 the Board of Acquisition and Contract approved a resolution for the Westchester County Department of Transportation to extend the term of the agreement with Trapeze Software Group, Incorporated from December 14, 2009 to December 14, 2011, at no additional cost to the County.

All work authorized by these resolutions was subsequently completed.

Authority is now requested of this Board to amend the agreement to include extended maintenance and support for the customer information software system for an additional \$726,226 and to extend the term of the agreement with Trapeze Software Group, Incorporated from December 14, 2011 to December 31, 2016.

Pursuant to Section 9 of the Westchester County Procurement Policy and Procedures, it is our recommendation that after reasonable investigation, it has been determined that customer information software support services from Trapeze Software Group is the only one practicable source for the provision of these services. Trapeze Software Group, which designed and implemented the customer information software system, is a sole source provider of support and maintenance services of its proprietary customer information software licensed to and in use by the County; therefore they are the sole source for customer information software support services. For this reason, it is our recommendation that the subject procurement qualifies as a sole source procurement and is exempt from the procedures of the Procurement Policy under Section 9 of said Policy.

The benefit to the public is that Bee-Line passengers are provided with customized trip information via an Automated Telephone Information System (ATIS) located on the 8th Floor, 100 East First Street, Mount Vernon, New York. The Department of Public Works and Transportation's primary customer information program goals are to provide commuters with customized information and to provide tools to improve the transit call-takers' ability to respond to customer inquiries concerning transit trips.

We recommend approval of the attached proposed resolution

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation and the Chief Information Officer, Department of Information Technology, be it hereby:

RESOLVED, that the County of Westchester is authorized to amend an agreement with Trapeze Software Group, Incorporated to increase the not to exceed amount by an additional Seven Hundred Twenty Six Thousand Two Hundred Twenty Six Dollars (\$726,226) in consideration of additional services, for a total contract amount not to exceed One Million Six Hundred Seventy Six Thousand Two Hundred Twenty Six Dollars (\$1,676,226) 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 Trapeze Software Group, Incorporated to extend the termination date from December 14, 2011 to December 31, 2016; 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 releases(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 re-negotiate 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 with Trapeze Software Group, Incorporated shall remain unchanged; and be it further

RESOLUTION

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; and be it further

Original Agreement \$ 750,000
 First Amendment \$ 200,000
 Second Amendment \$ 0
This Amendment \$ 726,226
 TOTAL \$1,676,226

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
161	44	2100	4380		\$120,442.00 (2011)
101	16	6430	4070		\$107,254.00 (2012)
101	16	6430	4070		\$106,701.00 (2013)
101	16	6430	4070		\$124,413.00 (2014)
101	16	6430	4070		\$130,508.00 (2015)
101	16	6430	4070		\$136,908.00 (2016)

Budget Funding Year(s) 2011-2016 Start Date 12/15/2003 (original start) End Date 12/31/2016
 (must match resolution)

Funding Source Tax Dollars \$726,226.00
 State Aid _____
 Federal Aid _____
\$726,226.00
 (must match resolution) Other _____