

37026

Date: November 20, 2013

To: Members of the Board of Acquisition and Contract

From: Kathleen M. O'Connor
Commissioner of Parks, Recreation and Conservation

Re: Resolution to exempt from the Westchester County Procurement Policy agreements between the County of Westchester and Agrico Credit Acceptance LLC for the provision of golf cars, including GPS services, under a five-year lease and a maintenance agreement with Club Car, Inc. to cover the golf cars during the lease term, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an agreement with Agrico Credit Acceptance LLC, 8001 Birchwood Court, Suite C, P.O. Box 2000, Johnston, IA 50131-0020 ("Agrico Credit"), for the provision of golf cars, including GPS services, under a five year lease and a maintenance agreement with Club Car, Inc. to cover the golf cars during the lease term, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures.

Pursuant to a resolution approved on March 30, 2006, the County entered into a lease agreement with Club Car, Inc. ("Club Car"), 4125 Washington Road, Evans, Georgia 30809, to lease 220 golf cars for a sixty month term following the first date of delivery. The County had the option to terminate the agreement after 48 months with no penalty if the County decided to enter into a new five-year lease with Club Car for a new fleet at rates to be mutually agreed upon and approved by the Board of Acquisition and Contract.

Pursuant to resolutions approved on March 4, 2010 and March 18, 2010, the County exercised its option to terminate the lease agreement with Club Car, Inc. and the County entered into a new 54 month lease agreement and maintenance agreement with Agrico Credit at new rates commencing April 15, 2010.

The golf car lease agreement will expire after the 2014 golf season. However, the batteries for the electric golf cars will not last through the next golf season. If the County were required to purchase batteries for the electric golf cars for the 2014 season under the current agreement, the cost would be \$117,000. The current GPS contract will expire December 31, 2013. The County has entered into negotiations with the current golf car supplier for the price of new golf cars with a GPS system included to be provided under a new five-year lease agreement. The current lease for the older golf cars will be terminated one year early and the County will not

be required to pay the balance of \$637,773.62 due for the final year under the current lease. The County shall enter into a new five-year lease agreement for new golf cars which shall include a new and substantially improved Visage GPS system. The new agreement shall also include an additional 5 cars at Maple Moor, 9 cars at Saxon Woods and 5 golf cars at Hudson Hills. The fleet of Hudson Hills cars would change from 65 electric cars to a total of 70 cars, with 40 electric cars and 30 gasoline cars. The addition of the gasoline cars at Hudson Hills will allow the 40 electric cars to be more fully charged, extending their useful service and battery life. The County would also execute an agreement with Club Car, Inc. to maintain the golf cars during the term of the lease agreement. The Department of Parks, Recreation and Conservation believes that this new five year lease is in the best interest of the County and golf course patrons as it would provide brand new golf cars for the 2014 season equipped with a new and substantially improved GPS system, and provide for 19 additional golf cars at the same rate that the County pays for golf cars under the current agreement.

Pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, the Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the Procurement Policy and Procedures would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting these agreements from the Westchester County Procurement Policy and Procedures. A resolution to exempt these agreements from Procurement Policy is hereby submitted for your consideration.

RESOLUTION

Upon a communication from the County's Commissioner of Parks, Recreation and Conservation, be it hereby:

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of a five year lease for the provision of golf cars with GPS system included and related maintenance agreement for the golf cars during the term of the lease.

*Sixty month agreement commencing upon delivery of golf carts which is expected on or about March 1, 2014.