

42972

Date: October 29, 2014

To: The Honorable Board of Acquisition and Contract

From: Jay T. Pisco, P.E.
Commissioner of Public Works and Transportation

Re: Authority to enter into a ninth amendment to an agreement with Ross & Baruzzini, Inc. for consulting services in connection with design and installation of an electronic transit communication system for the Bee-Line System for a term ending December 31, 2014 for an amount not-to-exceed \$2,161,267.00 by: 1) providing for continuing project management and coordination; 2) increasing the total amount not-to-exceed thereunder by an additional \$47,430.00 to an amount not-to-exceed \$2,208,697.00; and 3) extending the end date of the agreement to December 31, 2015. (Agreement No. DOT03-09A-2010)

On February 13, 2003, your Honorable Board approved a Resolution exempting from the Westchester County Procurement Policy, pursuant to Section 3(a)xxi thereof, an agreement with Macro Corporation ("Macro") to provide consulting services in connection with the design upgrade and installation of an electronic transit communications system for the Bee-Line System and integration of that system with the County-wide communication system. That determination was based on Macro's significant background knowledge of the Bee-Line System and its communication requirements. On that same date, your Honorable Board approved a Resolution authorizing the County of Westchester to enter into an agreement with Macro to provide consulting services in connection with the design upgrade and installation of an electronic transit communications system for the Bee-Line System and integration of that system with the County-wide communication system for a term commencing February 1, 2003 and continuing through December 31, 2007 in an amount not-to-exceed \$417,000.00 (the "Agreement").

On June 9, 2005, your Honorable Board approved a Resolution authorizing a First Amendment to the Agreement in order to: 1) provide for additional services associated with the unique systems for the data radio system; and 2) increase the total not-to-exceed amount payable under the Agreement by an additional \$350,000.00 including up to \$43,000.00 in Miscellaneous Additional Work to an amended amount not-to-exceed \$767,000.00.

On August 30, 2007, your Honorable Board approved a Resolution authorizing a Second Amendment to the Agreement in order to: 1) provide for additional services associated with ongoing refinements to the electronic transit communications system for the Bee-Line System and integration of the data system with the MetroCard Fare Collection System; and 2) increase the total not-to-exceed amount payable under the Agreement by an additional \$600,000.00 to an amended amount not-to-exceed \$1,367,000.00.

On May 28, 2009, your Honorable Board approved a Resolution authorizing a Third Amendment to the Agreement in order to: 1) expand the scope of services to include additional services associated with the coordination of the integration of an automatic vehicle locator system for approximately 70 paratransit vehicles and the coordination of 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; 2) increase the total not-to-exceed amount payable under the Agreement by an additional \$376,189.00 to an amended amount not-to-exceed \$1,743,189.00; and 3) extend the termination date of the Agreement to December 31, 2010.

On July 15, 2010, your Honorable Board approved a Resolution authorizing a Fourth Amendment to the Agreement in order to: 1) expand the scope of services to include customizing the Automated Vehicle Location System to the unique data and scheduling systems used by the County's bus operators; 2) increase the total not-to-exceed amount payable under the Agreement by an additional \$125,558.00 to an amended amount not-to-exceed \$1,868,747.00; and 3) extend the termination date of the Agreement to January 30, 2012.

On July 7, 2011, your Honorable Board approved a Resolution authorizing a Fifth Amendment to the Agreement in order to: 1) expand the scope of services to include more time acting as project manager due to the retirement of the County's project manager; and 2) increase the total not-to-exceed amount payable under the Agreement by an additional \$109,053.00 to an amended amount not-to-exceed \$1,977,800.00.

On December 29, 2011, your Honorable Board approved a Resolution authorizing a Sixth Amendment to the Agreement in order to: 1) expand the scope of services to include project management support, technical support, testing support and documentation reviews necessary to complete the project and provide support during the first three months of the warranty period; 2) increase the total not-to-exceed amount payable under the Agreement by an additional \$91,362.00 to an amended amount not-to-exceed \$2,069,162.00; and 3) extend the termination date of the Agreement to December 31, 2012.

On November 29, 2012, your Honorable Board approved a Resolution authorizing a Seventh Amendment to the Agreement in order to: 1) expand the scope of services to include additional project management support, technical support, testing support and documentation reviews necessary to complete the project; 2) increase the total not-to-exceed amount payable under the Agreement by an additional \$92,400.00 to an amended amount not-to-exceed \$2,161,567.00; and 3) extend the termination date of the Agreement to December 31, 2013.

On May 23, 2013, your Honorable Board approved a Resolution authorizing an Eighth Amendment to the Agreement in order to: 1) assign it from Macro to Ross & Baruzzini, Inc.; and 2) extend the termination date of the Agreement to December 31, 2014.

Due to the ongoing upgrade of the Transit Communications System, authority of your Honorable Board is sought for a Ninth Amendment to the Agreement in order to: 1) have Ross & Baruzzini, Inc. provide continuing project management and coordination; 2) increase the total not-to-exceed amount payable under the Agreement by an additional \$47,430.00 to an amended amount not-to-exceed \$2,208,697.00; and 3) extend the termination date of the Agreement to December 31, 2015.

Except as otherwise specifically amended hereby, all other terms and conditions of the Agreement will remain in full force and effect.

The goals and objectives of this Agreement are to provide consistent oversight of the modifications necessary to the Transit Communications System, a critical component of the Bee-Line System.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to enter into a ninth amendment to an agreement with Ross & Baruzzini, Inc. for consulting services in connection with design and installation of an electronic transit communication system for the Bee-Line System for a term ending December 31, 2014 for an amount not-to-exceed \$2,161,267.00 by: 1) providing for continuing project management and coordination; 2) increasing the total amount not-to-exceed thereunder by an additional \$47,430.00 to an amount not-to-exceed \$2,208,697.00; and 3) extending the end date of the agreement to December 31, 2015; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the agreement shall remain in full force and effect; and be it further

RESOLVED, that the County Executive his duly appointed designee be, and hereby is, authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Original Agreement	\$ 417,000.00
First Amendment	\$ 350,000.00
Second Amendment	\$ 600,000.00
Third Amendment	\$ 376,189.00
Fourth Amendment	\$ 125,558.00
Fifth Amendment	\$ 109,053.00
Sixth Amendment	\$ 91,362.00
Seventh Amendment	\$ 92,400.00
Eighth Amendment	\$ 0.00
This Amendment	\$ <u>47,430.00</u>
TOTAL	\$2,208,697.00

Agreement No. DOT03-09A-2010

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	365	44	T000607S	6190-01	BA #112-2008	\$47,430.00

Budget Funding Year(s) 2014 Start Date 02/01/2003 End Date 12/31/2015
 (must match resolution)

Funding Source	Tax Dollars	_____ 100% County _____
	State Aid	_____
	Federal Aid	_____
<u>\$47,430.00</u> (must match resolution)	Other	_____