

43552

DATE: November 25, 2014

TO: Board of Acquisition and Contract

FROM: John B. McCaffrey  
Chief Information Officer  
Department of Information Technology

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

RE: RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO AMEND A CONTRACT (IT-655) WITH CORE CASHLESS, LLC, IN ORDER TO EXTEND THE TERM OF THE AGREEMENT TO SEPTEMBER 30, 2017 AND INCREASE THE AMOUNT BY \$136,279.92 PER YEAR FOR A TOTAL OVER THE THREE YEAR TERM OF \$408,839.76 BRINGING THE TOTAL NOT-TO-EXCEED CONTRACT AMOUNT TO \$2,723,244.89 FOR ADDITIONAL HARDWARE AND SOFTWARE SUPPORT AND MAINTENANCE OF THE STORED VALUE CARD SYSTEM UTILIZED BY THE DEPARTMENT OF PARKS, RECREATION AND CONSERVATION

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BACKGROUND:

- On September 17, 2004, your Honorable Board approved a resolution which authorized entering into an agreement with Applied Resources, Inc., for a stored value card system for Playland Park, for a four year period commencing October 1, 2004 and terminating September 30, 2008, for a total amount not to exceed \$765,000. The agreement (Contract IT-655) authorized in this resolution was subsequently executed and approved.
- On July 14, 2005, your Honorable Board approved a resolution authorizing an amendment to Contract IT-655 with Applied Resources, Inc., by increasing the amount by \$20,000 for additional equipment and software enhancements to the stored value card system for Playland Park to a new total not to exceed contract amount of \$785,000. The first amendment authorized in this resolution was subsequently executed and approved.
- On January 31, 2008, your Honorable Board approved a resolution which authorized an assignment of Contract IT-655 with Applied Resources, Inc. to CORE Cashless, Inc. and extended the term two years to a new termination date of September 30, 2010 and increased the amount by \$797,690 to a new total not to exceed contract amount of \$1,582,690. The assignment and amendment authorized in this resolution were subsequently executed and approved.
- On June 25, 2009, your Honorable Board approved a resolution which authorized an amendment of Contract IT-655 to CORE Cashless, Inc., by increasing the amount by \$91,247 for additional hardware to be used at the County Center, software and related support costs of the stored value card system for Playland Park and the County Center to a new total not to exceed contract amount of \$1,673,937. The amendment authorized in this resolution was subsequently executed and approved.

- On November 23, 2010, your Honorable Board approved a resolution which authorized an amendment of Contract IT-655 to CORE Cashless, Inc., by increasing the amount by \$151,422.13 for additional hardware, software and related support costs of the stored value card system for Playland Park and the County Center to a new total not to exceed contract amount of \$1,825,329.13. The amendment authorized in this resolution was subsequently executed and approved.
- On January 19, 2012, your Honorable Board approved a resolution which authorized an amendment of Contract IT-655 to CORE Cashless, Inc., by increasing the amount by \$186,000.00 for additional hardware, software and related support costs of the stored value card system for Playland Park and the County Center to a new total not to exceed contract amount of \$2,011,359.13 and to extend the agreement to a new termination date of September 30, 2012. An assignment of the agreement from CORE Cashless, Inc. to CORE Cashless, LLC was also authorized. The amendment and assignment authorized in this resolution was subsequently executed and approved.
- On February 28, 2013, your Honorable Board approved a resolution which authorized an amendment of Contract IT-655 to Core Cashless, Inc., by increasing the amount by \$151,423 for additional hardware, software and related support costs of the stored value card system for Playland Park and the County Center to a new total not to exceed contract amount of \$2,162,782.13 and to extend the agreement to a new termination date of September 30, 2013. The amendment authorized in this resolution was subsequently executed and approved.
- On January 23, 2014, your Honorable Board approved a resolution which authorized an amendment of Contract IT-655 by increasing the amount by \$151,623 for additional hardware, software and related support costs of the stored value card system for Playland Park and the County Center to a new total not to exceed contract amount of \$2,314,405.13 and to extend the agreement to a new termination date of September 30, 2014. The amendment authorized in this resolution was subsequently executed and approved.
- The County since 2010 has been exploring a multitude of different opportunities concerning the day-to-day operation of Playland Park. If a new operator of the amusement park facility takes control of day-to-day operations, the Contract IT-655 may either be terminated or assigned to the new operator as it pertains to Playland Park. The proposed amendment will therefore provide that the County shall have the right to assign Contract IT-655 or terminate the portion of Contract IT-655 as it relates to Playland Park, upon ten (10) days prior written notice.
- Therefore, an extension of hardware and software support and maintenance for the current stored value card system for Playland Park and the County Center is needed through September 30, 2017 at an additional cost of \$136,279.92 per year for a total of \$408,839.76 over the three year term , bringing the new total not-to-exceed amount to \$2,723,244.89.
- Due to the proprietary nature of the system, CORE Cashless, LLC is the only entity that can provide support. 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 extending the current software and hardware support agreement (Contract IT-655) is to continue to allow Playland Park and the County Center to operate with an automated system that was originally implemented to reduce operating costs of the park, improve cash control and reduce revenue losses due to misrepresentation of ridership statistics, and Food and Beverage revenues.

- The goals and objectives of this amendment are to provide hardware and software support and maintenance for three additional years. Because the hardware and software is essential to the operation of Playland Park and the County Center, there would be significant risk if support were not continued. Should certain hardware components fail, the County would be unable to repair or replace the component, requiring manual operation for some or all of the amusement rides and Point of Sale locations. If software problems occur without support from the vendor, the time to resolve issues would be much longer and some problems might be impossible to overcome. This could require all amusement rides and Point of Sale locations to operate manually for a prolonged period of time. .

**ACTION REQUESTED:**

Authorization to amend a Contract IT-655 with CORE Cashless, LLC, having an office located at 14343 West 100<sup>th</sup> Street, Lenexa, Kansas 66215, for hardware and software support and maintenance of the stored value card system for Playland Park and the County Center by extending the term to a new termination date of September 30, 2017, increasing the amount by \$136,279.92 per year for a total of \$408,839.76 over the three year term, for a new total not-to-exceed contract amount of \$2,723,244.89, payable pursuant to an approved schedule, and subject to county appropriations.

Accordingly, the attached resolution is submitted for your consideration.

JBM/KMO/TSA

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION  
PRIMARY VENDOR, SECRETARY

## RESOLUTION

UPON A COMMUNICATION FROM THE CHIEF INFORMATION OFFICER, DEPARTMENT OF INFORMATION TECHNOLOGY AND THE COMMISSIONER, DEPARTMENT OF PARKS, RECREATION AND CONSERVATION, BE IT HEREBY

**RESOLVED**, that the County of Westchester is hereby authorized to amend Contract IT-655 with CORE Cashless, LLC, having an office located at 14343 W. 100<sup>th</sup> Street, Lenexa, Kansas 66215, by extending the term to a new termination date of September 30, 2017, increasing the amount by \$136,279.92 per year for a total of \$408,839.76 over the three year term for a total not to exceed contract amount of \$2,723,244.89, payable pursuant to an approved schedule, for hardware and software support costs of the stored value card system utilized by Playland Park and the County Center; and be it further

**RESOLVED**, that the Agreement shall provide that in the event that the day-to-day operations of Playland Park are transferred to a new operator, the County will have the right to assign the agreement or terminate the portion of the agreement related to Playland Park, upon ten (10) days prior written notice, ; and be it further

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

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

**RESOLVED**, 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 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: \$ 765,000  
 First Amendment: \$ 20,000  
 Second Amendment: \$ 797,690  
 Third Amendment: \$ 91,247  
 Fourth Amendment \$ 151,422.13  
 Fifth Amendment \$ 186,000  
 Sixth Amendment \$ 151,423  
 Seventh Amendment: \$ 151,623  
**This Amendment \$ 408,839.76**

TOTAL: \$ 2,723,244.89

Contract: # IT-655

Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2015	165	42	5520	4380		\$136,279.92
2016	165	42	5520	4380		\$136,279.92
2017	165	42	5520	4380		\$136,279.92

Budget Funding Year(s): 2015, 2016, 2017

Start Date: October 1, 2014

End Date: September 30, 2017

Funding Source Tax Dollars: \$408,839.76

State Aid \_\_\_\_\_

Federal Aid \_\_\_\_\_

(must match resolution) Other: \_\_\_\_\_