



Department of Emergency Services

Memorandum

44660

DATE: February 6, 2015

TO: Board of Acquisition and Contract

FROM: John Cullen, Commissioner of Emergency Services

RE: Authority to enter into an agreement with the New York State Technology Enterprise Corporation to provide services to update the County's Interoperable Communications plans and tools for a term commencing upon execution and expiring December 2, 2015, in an amount not-to-exceed \$177,996, pursuant to an approved budget.

Authority is requested for the County of Westchester (the "County"), acting by and through the Department of Emergency Services (the "Department"), to enter into an agreement with the New York State Technology Enterprise Corporation ("NYSTEC") for the provision of services to update the County's Interoperable Communications plans and tools (the "Agreement"). Such services will include, but shall not be limited to: updating the County's Communication Assets Survey and Mapping system ("CASM"); updating the County's Tactical Interoperability Communications Plan ("TICP"); updating and training staff on the use of the County's Field Operations Guide ("FOG"); and populating and providing training on the County's WCORD tool. In consideration for services to be rendered, the County will pay NYSTEC an amount not-to-exceed One Hundred Seventy-Seven Thousand Nine Hundred Ninety-Six (\$177,996.00) Dollars, pursuant to an approved budget. The Agreement will have a term commencing upon execution and expiring December 2, 2015, as more particularly described below.

As your Honorable Board may recall, on May 8, 2014 your Honorable Board approved a resolution authorizing the County to enter into a grant agreement (the "Grant Agreement") with the New York State Division of Homeland Security and Emergency Services to accept \$5,991,125 in funding under the Round 3 Statewide Interoperable Communications Grant (the "Grant") for the program period December 3, 2013 through December 2, 2014. Thereafter, by resolution approved on December 4, 2014, your Honorable Board authorized the County to amend the Grant Agreement in order to, *inter alia*, extend the term thereof through December 2, 2015.

The proposed resolution seeks authorization to engage NYSTEC to carry out the grant purposes and assist the County with enhancing the region's interoperable communications capabilities. The goals and objectives of the agreement are to establish common planning and operational protocols and improve emergency responder skills and capabilities. The Department will track

and monitor the goals and objectives of the agreement in order to evaluate the success of the program's impact on public safety and public health.

This Agreement is exempt from the procedures of the County's Procurement Policy pursuant to Section 3(a)(i) as the agreement is through New York State Office of General Services (NYS OGS Contract Number CMR524A). It should be noted that NYSTEC has advised the Department that their NYSOGS centralized contract's period of performance is set to expire on September 11, 2015. NYSTEC has further advised the Department that they will soon be entering into negotiations with NYSOGS to renew that contract for another term. NYSTEC has represented to the Department that the backdrop contract end date does not prohibit them from entering into a contract that is approved prior to the expiration but extends past that contract end date. As such, the proposed Agreement will have a term commencing upon execution and expiring December 2, 2015, subject to the Department's receipt of written confirmation from NYSTEC that they have renewed their contract with NYSOGS. Otherwise, this Agreement will expire September 11, 2015, which will be coterminous with the NYSOGS Contract Number CMR524A.

Approval of the attached resolution by your Honorable Board is respectfully requested.

JC/LL/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/05/2015 - JCMR/VE/MA/SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Emergency Services, be it hereby

RESOLVED, that the County of Westchester (“County”) acting by and through the Department of Emergency Services (the “Department”), is authorized to enter into an agreement with the New York State Technology Enterprise Corporation (“NYSTEC”) (NYS OGS Contract Number CMR524A) for the provision of services to update the County’s Interoperable Communications plans and tools; and be it further

RESOLVED, that the agreement shall have a term commencing upon execution and expiring December 2, 2015, subject to the Department’s receipt of written confirmation from NYSTEC that they have renewed their contract with NYSOGS. Otherwise, the Agreement will expire September 11, 2015, which will be coterminous with Consultant’s NYSOGS Contract Number CMR524A; and be it further

RESOLVED, that in consideration for services rendered, the County shall pay NYSTEC an amount not-to-exceed One Hundred Seventy-Seven Thousand Nine Hundred Ninety-Six (\$177,996.00) Dollars, pursuant to an approved budget; 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 the County Executive or his authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	20	534N	4380	T534	\$177,996.00

Budget Funding Year(s) 2013 - 2015 Start Date 12/1/2013 End Date 12/2/2015
(must match resolution)

Funding Source Tax Dollars _____

State Aid \$177,996.00 _____

\$177,996.00 Federal Aid _____

_(must match resolution)

Other _____