

48393

Date: September 10, 2015

To: Board of Acquisition and Contract

From: John B. McCaffrey
Chief Information Officer

Mary J. Mahon
Special Assistant to the County Executive &
Director of Real Estate

Re: Authority to enter into a license agreement (IT-1372) with American Tower Management, LLC for the installation of a radio antenna and related equipment on property located in Putnam Valley, New York.

The County of Westchester (the "County") has undertaken a project that will enable the implementation of systems for first-responder communication via the VTAC National Interoperability channels, and implementation of microwave links to support the VTAC systems, enhance reliability of wireline connections between 60-Control, Public Safety Headquarters, and County radio sites, and provide a pathway to connect emergency communication facilities in Westchester, Rockland, Putnam, and Orange as well as support communication with state and federal personnel operating in the area.

In order to carry out this project it is necessary to enter into a license agreement with American Tower Management, LLC ("American Tower") to install a radio antenna and related equipment on property owned by American Tower and located at Route 301 West, Putnam Valley, New York.

Accordingly, authority is requested from your Honorable Board to enter into a license agreement with American Tower for a ten (10) year term, commencing on the earlier of notice to proceed or October 1, 2015, with four (4) additional renewal terms of five (5) years each. The term shall automatically renew unless either party notifies the other in writing of its intention not to renew at least 180 days prior to the end of the current term. The County will pay a monthly license fee of \$636.00, which fee shall increase yearly on the commencement date by 4%. In addition, the parties shall each indemnify each other against and hold the other harmless from any and all costs, demands, damages, suits, expenses, or causes of action (including reasonable

attorney fees and court costs) which arise out of the use and/or occupancy of the licensed space by the indemnifying party.

The space rented from American Towers will house equipment and antennas that are critical components of County radio systems used for Police, Fire, and EMS communications. These radio systems serve a public purpose because they allow first responders and other government personnel to serve Westchester's residents by safeguarding their property and health.

The goals and objectives of the agreement are to operate critical County first responder radio systems which require the use of antennas and equipment placed at strategically located sites that best cover Westchester. The Department of Information Technology ("DoIT"), along with the Departments of Emergency Services, and Public Safety monitor the radio systems that utilize the radio site to make sure that it best suits the County's needs. DoIT audits the invoices to make sure they comply with the terms of the Agreement.

This agreement is exempt from the operation of the Westchester County Procurement Policy pursuant to Section 3(b) thereof.

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

JBM/MJM/TSA

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
JOANNE GUARDI, SECRETARY

RESOLUTION

Upon a communication from the Chief Information Officer, and the Special Assistant to the County Executive/Director of Real Estate, be it hereby

RESOLVED, that the County of Westchester (the "County") is authorized to enter into a license agreement with American Tower Management, LLC ("American Tower") to install a radio antenna and related equipment on property owned by American Tower and located at Route 301 West, Putnam Valley, New York; and be it further

RESOLVED, that the license shall be for a ten (10) year term, commencing on the earlier of notice to proceed or October 1, 2015, with four (4) additional renewal terms of five (5) years each. The term shall automatically renew unless either party notifies the other in writing of its intention not to renew at least 180 days prior to the end of the current term; and be it further

RESOLVED, that the County will pay a monthly license fee of \$636.00, which fee shall increase yearly on the commencement date by 4%. In addition, the parties shall each indemnify each other against and hold the other harmless from any and all costs, demands, damages, suits, expenses, or causes of action (including reasonable attorney fees and court costs) which arise out of the use and/or occupancy of the licensed space by the indemnifying party

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions necessary to implement this Resolution.

Agreement No. IF-1372

Account to be Charged/credited	Year	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	2015	101	20	1000	4070		\$719.32
	2015	101	16	2500	4070		\$744.12
	2015	101	38	2000	4070		\$444.56
	2016	101	20	1000	4070		\$2,906.04
	2016	101	16	2500	4070		\$3,006.24
	2016	101	38	2000	4070		\$1,796.04
	2017	101	20	1000	4070		\$3,022.28
	2017	101	16	2500	4070		\$3,126.50
	2017	101	38	2000	4070		\$1,867.88
	2018	101	20	1000	4070		\$3,143.18
	2018	101	16	2500	4070		\$3,251.57
	2018	101	38	2000	4070		\$1,942.60
	2019	101	20	1000	4070		\$3,268.93
	2019	101	16	2500	4070		\$3,381.65
	2019	101	38	2000	4070		\$2,020.32
	2020	101	20	1000	4070		\$3,399.70

2020	101	16	2500	4070		\$3,516.93
2020	101	38	2000	4070		\$2,101.14
2021	101	20	1000	4070		\$3,535.68
2021	101	16	2500	4070		\$3,657.60
2021	101	38	2000	4070		\$2,185.18
2022	101	20	1000	4070		\$3,677.10
2022	101	16	2500	4070		\$3,803.90
2022	101	38	2000	4070		\$2,272.58
2023	101	20	1000	4070		\$3,824.18
2023	101	16	2500	4070		\$3,956.05
2023	101	38	2000	4070		\$2,363.49
2024	101	20	1000	4070		\$3,977.16
2024	101	16	2500	4070		\$4,114.31
2024	101	38	2000	4070		\$2,458.03
2025	101	20	1000	4070		\$3,071.48
2025	101	16	2500	4070		\$3,177.39
2025	101	38	2000	4070		\$1,898.29

Budget Funding Year(s) 2015-2025 Start Date Oct 1, 2015 End Date Sep 30, 2025
(must match resolution)

Funding Source Tax Dollars \$91,631.42
State Aid _____
\$91,631.42 Federal Aid _____
(must match resolution)
Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 09/17/2015 TOWN COCCIARDI, SECRETARY