

**49353**

DATE: November 4, 2015

TO: Honorable Members of the Board of Acquisition and Contract

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

John B. McCaffrey, Chief Information Officer  
Department of Information Technology

SUBJECT: Amendment of an agreement (WCA 13-005) between the County of Westchester, by and through its Departments of Public Works and Transportation and Information Technology and Environmental Systems Research Institute, Inc., in the amount of \$233,272 commencing November 26, 2014 for a one year term, by extending the termination date to February 29, 2016 and amending the scope.

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On December 12, 2013, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Departments of Public Works and Transportation and Information Technology ("Departments") to enter into an agreement with Environmental Systems Research Institute, Inc. ("ESRI") for the purpose of utilizing software and consultant services involving the implementation of an Airport Geographic Information System to manage the spatial information of the Westchester County Airport (the "Airport") pursuant to the Federal Aviation Administration ("FAA") regulations (FAA Circular 150/5300-18B) which mandates the management of special information for the Airport (the "Project"), in an amount not-to-exceed \$233,272 for a term of one year commencing December 15, 2013 and terminating December 14, 2014 pursuant to an approved budget and schedule (the "December 12, 2013 Resolution"). The agreement was not executed in accordance with the December 12, 2013 Resolution due to lengthy negotiations and revisions to the proposed Agreement. Authorization was then requested of your Honorable Board to amend the December 12, 2013 Resolution since the one year term that had been approved was about to expire.

Therefore, on November 20, 2014, your Honorable Board authorized that the December 12, 2013 Resolution be amended to change the termination date of December 14, 2014 to one year from the date of execution. The agreement was then executed by the County, by and through the Departments, and ESRI on November 26, 2014 for term of one year (terminating on November 25, 2015) in an amount-not-to-exceed \$233,272 (the "Agreement").

The County and the Contractor now need to amend the Agreement in order to (1) De-Scope Task 8 – Development of CAD ETL's of the Scope of Services; and (2) add a new Task 10 - FAA 18C Data Loading to the Scope of Services; and (3) transfer the de-scoped funds of \$16,800 from Task 8 to the new Task 10; and (4) as well as to extend the term of the Agreement until February 29, 2016. The total firm fixed price of the Agreement has not changed. The price of Task 8 is reduced from \$24,000 to \$7,200 (minus \$16,800) and the \$16,800 is moved to the new Task 10.

It should be noted that the December 12, 2013 Resolution stated that pursuant to Section 9 of the Westchester County Procurement Policy, ESRI was deemed to be a sole source and therefore the procurement was exempt from the procedures of the Procurement Policy.

The proposed amended Agreement will serve a public purpose by completion of the geographic information system based upon the software and services of ESRI which will support compliance with the FAA regulations and promote the public safety of County residents.

The goals and objectives of the proposed amended Agreement are to comply with the FAA regulations stated herein pertaining to the implementation of the Airport Geographic System for airport projects.

The goals and objectives of the proposed amended Agreement are in the best interests of the County in terms of compliance with FAA regulations and the promotion of the public safety of County residents.

The goals and objectives of the proposed amended Agreement will be tracked and monitored by the staff of the Departments and regular status meetings shall be held between ESRI and the Departments.

Accordingly, we most respectfully recommend the adoption of the annexed resolution.

JP/JM/lac  
Attachment

**RESOLUTION**

Upon a communication from the Commissioner Public Works and Transportation and Chief Information Officer of the Department of Information Technology, be it hereby:

**RESOLVED**, that the Agreement dated November 26, 2014 between the County of Westchester (the "County"), acting by and through its Departments of Public Works and Transportation and Information Technology, with Environmental Systems Research Institute, Inc. in the amount of \$233,272 for a one year term for the use of software and consultant services involving the implementation of an Airport Geographic Information System to manage the spatial information of the Westchester County Airport is hereby amended to (1) De-Scope Task 8 – Development of CAD ETL's of the Scope of Services; and (2) add a new Task 10 - FAA 18C Data Loading to the Scope of Services; and (3) transfer the de-scoped funds of \$16,800 from Task 8 to the new Task 10; and (4) as well as to extend the term of the Agreement until February 29, 2016. The total firm fixed price of the Agreement has not changed. The price of Task 8 is reduced from \$24,000 to \$7,200 (minus \$16,800) and the \$16,800 is moved to the new Task 10; and be it further

**RESOLVED**, that all of the other terms and conditions of the Agreement shall remain the same and in full force and effect; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Original Agreement:	\$233,272.00
First Amendment:	\$ 0.00
<b>This Amendment:</b>	<b>\$ 0.00</b>
TOTAL:	\$233,272.00

Contract No. WCA13-005

Account to be Charged/Credited

Year	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2015	161	44	4410/4410	4380		N/A

Budget Funding Year(s): 2015 Start Date: Upon Execution End Date: 2/29/2016  
(must match resolution)

Funding Source:

\$N/A Tax Dollars: N/A  
(must match resolution) State Aid: \_\_\_\_\_  
Federal Aid: \_\_\_\_\_  
Other: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/03/2015 - JOAN COCCARDI, SECRETARY