

53747

**TO:** Board of Acquisition and Contract

**FROM:** Vincent F. Kopicki, P.E.  
Commissioner of Public Works and Transportation

Evan Latainer  
Director, Office for People with Disabilities

**DATE:** December 6, 2016

**SUBJECT:** **Resolution to exercise the County's fourth and final option to extend a contract with Act Now Limousine Service Inc. for taxi services within the City of Peekskill under the County's Para Transit Program for one (1) year commencing January 1, 2017 through December 31, 2017, and to increase the total amount of the contract by \$130,000.00 to cover services provided under the 2017 option extension year. (Contract No. OFDACTNOW13)**

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Pursuant to a resolution approved on December 6, 2012, the County of Westchester (the "County") entered into a one (1) year contract commencing January 1, 2013 with Act Now Limousine Service Inc. for the provision of taxi services within the City of Peekskill to customers of the County's Para Transit service that opt to utilize a taxi rather than the standard Para Transit service vehicles in an amount not to exceed \$60,140.00. Pursuant to a resolution approved on December 5, 2013, the contract was amended to increase the not to exceed dollar amount by an additional \$32,860.00 to cover an unanticipated increase in the amount of services required and to revise the description of one of the service zones. The contract includes options for the County to renew the contract for four (4) additional one (1) year periods. Pursuant to a resolution approved on December 19, 2013, the contract was extended for the year 2014 in an amount not to exceed \$100,000.00. Due to an unanticipated increase in the amount of services required in 2014, pursuant to a resolution approved on October 30, 2014, a Second Amendment was executed increasing the not to exceed dollar amount of the contract by an additional \$20,000.00. Pursuant to a resolution approved on February 5, 2015, the contract was extended for the year 2015 in an amount not to exceed \$130,000.00. Pursuant to a resolution approved on February 18, 2016, the contract was extended for the year 2016 in an amount not to exceed \$130,000.00. Based on the success of this initiative and satisfactory performance by the contractor, the Department of Public Works and Transportation and the Office for People with Disabilities are seeking to extend this contract for the year 2017 and to increase the total amount of the contract by an additional \$130,000.00 to cover the services provided during the 2017 extension period.

The extension of this contract is in the public's best interest because it will continue to provide a cost effective alternative to traditional Para Transit for ambulatory citizens.

As expenditures are made pursuant to this authorization, detailed records will be kept in the County's on-line financial system. These records will be easily accessible by Finance, Budget and department staff and will be reviewed regularly to ensure that funds are used appropriately.

A proposed resolution is attached for your consideration.

# RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation and the Director of the Office for People with Disabilities, be it

**RESOLVED**, that the County of Westchester (“the County”) is hereby authorized to extend the contract with Act Now Limousine Service Inc., 828 Washington Street, Peekskill, New York 10566, for Contract No. OFDACTNOW13 for Taxi Pilot Program Services, City of Peekskill, New York, for a one (1) year period commencing January 1, 2017 through December 31, 2017, on the same terms and conditions, and to increase the total amount of the contract by \$130,000.00 to cover services provided during the 2017 contract extension year; and be it further

**RESOLVED**, that this contract is subject to County appropriations; 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 and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Original 2013 Agreement	\$ 60,140.00
1 <sup>st</sup> Amendment to Increase 2013 NTE Amount:	\$ 32,860.00
2014 First Extension	\$100,000.00
2 <sup>nd</sup> Amendment to Increase 2014 NTE Amount:	\$ 20,000.00
2015 Second Extension:	\$130,000.00
2016 Third Extension:	\$130,000.00
This 2017 Fourth Extension:	<u>\$130,000.00</u>
New Total:	<b>\$603,000.00</b>

Contract No. OFDACTNOW13

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	44	2100	4925		\$130,000.00

Budget Funding Year(s) 2017 Start Date January 1, 2017 End Date December 31, 2017  
 (must match resolution)

Funding Source: Tax Dollars 100% County  
 State Aid \_\_\_\_\_  
\$130,000.00 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_