



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

56149

DATE: March 27, 2017

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner, Department of Social Services

SUBJECT: Amending a resolution that authorized the County to exercise its first one-year option under its agreement with Czerenda's Court Reporting Service, Inc. d/b/a Reporters Transcription Center, by adding authority for the County to increase the not-to-exceed amount of the agreement by \$76,000.00, in order to ensure that adequate funds are available under the agreement to pay for services during its extended term.

By a resolution approved on January 21, 2016 (the "January 21st Resolution"), your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Czerenda's Court Reporting Service, Inc. d/b/a Reporters Transcription Center ("RTC"), pursuant to which RTC was to provide specialized transcription services and related services (the "Services"), for an amount not-to-exceed \$76,000, payable pursuant to an approved budget, for the period from February 1, 2016 through January 31, 2017 (the "Initial Term"), with the County having the sole option to renew the agreement for up to six (6) one-year terms thereafter (each an "Option Term"), with the approved budget specifying the same unit price for each such Option Term as for the Initial Term (the "Agreement"). The Agreement was subsequently executed.

By a resolution approved on March 16, 2017 (the "March 16th Resolution"), your Honorable Board authorized the County to exercise its first one-year option under the Agreement and therefore amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of January 31, 2018, and 2.) reflecting the fact that the County will have five (5) one (1) year options remaining under the Agreement (the "First Amendment").

The request for proposals through which the County procured the Agreement only solicited a per-case-note unit price. Accordingly, the not-to-exceed amount authorized by your Honorable Board in the January 21st Resolution and specified in the Agreement was simply based upon the County's analysis regarding how many units of service it anticipated needing during the Initial Term. It was specified in the Agreement that the County would make its own similar determination regarding anticipated costs for each Option Term if exercised.

Due to a misunderstanding of these terms and the circumstances of the Agreement, the March 16th Resolution did not request authority from your Honorable Board to increase the not-to-exceed amount of the Agreement as part of the First Amendment. However, the County has determined that it does, indeed, need to increase the not-to-exceed amount of the Agreement in order to ensure that adequate funds are available under the Agreement to pay for all of the services it anticipates requiring and receiving during the extended term of the Agreement.

Therefore, the County respectfully requests that your Honorable Board amend the March 16th Resolution by adding authority for the County to increase the not-to-exceed amount of the Agreement by \$76,000.00, to a new total not-to-exceed amount of \$152,000.00.

Except as specifically described above, all terms and conditions of the March 16th Resolution shall remain in full force and effect.

I respectfully recommend the adoption of the attached Resolution.

KMM/PS/bdm/nn

RESOLUTION

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

RESOLVED, that the resolution approved on March 16, 2017, which authorized the County of Westchester (the "County") to exercise its first one-year option under its agreement with Czerenda's Court Reporting Service, Inc. d/b/a Reporters Transcription Center (the "Agreement"), and therefore amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of January 31, 2018, and 2.) reflecting the fact that the County will have five (5) one (1) year options remaining under the Agreement, (the "March 16th Resolution") is hereby amended by replacing its existing first "RESOLVED" clause with the following "RESOLVED" clause:

"RESOLVED, that the County of Westchester (the "County") is hereby authorized to exercise its first one-year option under its agreement with Czerenda's Court Reporting Service, Inc. d/b/a Reporters Transcription Center ("RTC"), pursuant to which RTC was to provide specialized transcription services and related services (the "Services"), for an amount not-to-exceed \$76,000 payable pursuant to an approved budget, for the period from February 1, 2016 through January 31, 2017 (the "Initial Term"), with the County having the sole option to renew the agreement for up to six (6) one-year terms thereafter (each an "Option Term"), with the approved budget specifying the same unit price for each such Option Term as for the Initial Term (the "Agreement") and therefore amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of January 31, 2018; 2.) increasing the not-to-exceed amount thereof by \$76,000.00, to a new total not-to-exceed amount of \$152,000.00, to ensure that adequate funds are available to pay for all of the services provided during the extended term of the Agreement; and 3.) reflecting the fact that the County will have five (5) one (1) year options remaining under the Agreement; and be it further"

; and be it further

RESOLVED, that except as specifically amended hereby, all terms and conditions of the March 16th Resolution shall remain 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.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
N/A	N/A	N/A	N/A	N/A	N/A

Budget Funding Year(s): N/A
(must match resolution)

Start Date: N/A

End Date: N/A

Funding Source

N/A

(must match resolution)

Tax Dollars: N/A

State Aid: N/A

Federal Aid: N/A

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/20/2017 - JOAN COCCIA, SECRETARY