

60071

TO: Board of Acquisition and Contract

FROM: John McCaffrey
Chief Information Officer

DATE: December 5, 2017

SUBJECT: Resolution to Award Contract No. IT-1476-Rev
Radio Tower, Antenna System, and Related Infrastructure Inspection, Installation and
Maintenance Services for Various County Radio Antenna Sites

The Department of Information Technology (“DoIT”) currently manages radio systems that utilize antennas installed on radio towers, rooftops, and water tanks at twenty-four sites throughout the County. These sites are used primarily to support radio communication systems relied upon by first responders and other government personnel. End users include the Departments of Emergency Services, Public Safety, Corrections, and Public Works and Transportation.

The radio towers and antenna support structures, antenna systems, and related infrastructure at these sites require periodic inspection and preventative maintenance. On a less frequent basis, existing components must be replaced and new components must be installed.

On September 14, 2017, your Honorable Board authorized DoIT to advertise (the “Advertising Resolution”) in order to solicit bids from qualified radio tower and antenna service vendors to provide radio tower, antenna system, and related infrastructure inspection, installation, and maintenance services for various county radio antenna sites for a contract term of three (3) years with one two (2) year renewal option at the discretion of the County.

DoIT placed legal notices in The Journal News (Westchester-Putnam Edition)” on September 22, 2017 and made the bid document available for download by prospective bidders on the Empire State Purchasing Group Website on the same date.

On October 11, 2017, the bids were received and opened for the above-specified contract.

Electronic Systems Solutions, Inc. (“ESS”) submitted the lowest bid for contract IT-1476-Rev, Radio Tower, Antenna System, and Related Infrastructure Inspection, Installation, and Maintenance Services for Various County Radio Antenna Sites, however, ESS’s bid was found to be non-responsive, as ESS failed to meet several material requirements of the bid specification:

(1) The bid required that contractors must be able to document that they have an excellent safety record, are current members of the National association of Tower Erectors (“NATE”), Watertown, SD, and utilize a safety program based on the NATE Accident Prevention Safety and Health Program Guide, and meet the NATE STAR Initiative requirements for safety, training, accountability and reliability. ESS indicated in their bid that they were in the process of becoming a NATE member and joining their STAR Initiative Program for Safety. The bid submitted by ESS failed to meet this required certification. DoIT contacted NATE and as of November 30th, NATE confirmed that ESS was not a current or pending member with their organization.

(2) The bid required contractors to submit three samples of completed tower site inspection forms similar to that to be used under the contract. ESS provided three reports, two of which appear to have been prepared in 2013 by individuals who are now ESS employees when they were at another company. None of the three reports were for tower inspections as required by the bid specification.

(3) The bid required contractors to disclose any OSHA citations received during the past five (5) years, and provide copies of OSHA 300 forms for this period. The forms submitted by ESS do not demonstrate the company's safety record while providing the services specified by the bid specifications.

Accordingly, DoIT determined that the responsive lowest responsible bidder furnishing the required security for the solicited contract is Northeast Towers, Inc. and the County therefore wishes to award the contract, on the terms described above and otherwise included in the bid specification, to Northeast Towers, Inc. for a term commencing upon issuance by the County of a Notice-to-Commence and continuing for three (3) years thereafter, and for a total contract amount not to exceed Seven Hundred and Twenty Eight Thousand, Eight Hundred and Fifty (\$728,850.00) Dollars payable in accordance with the bid price proposal as follows:

Item	Annual	Basis
Spring Inspection	\$93,350	Fixed Price
Fall Inspection	\$95,100	Fixed Price
Miscellaneous Additional Work (Item W800)	\$54,500	Not-to-Exceed, As-Needed
Annual Total	\$242,950	Not-to-Exceed
Contract Total for 3 Years	\$728,850	Not-to-Exceed

This contract is in the public's best interest and will ensure that the County's critical government and public safety radio communication systems continue to be maintained in a safe and cost-effective manner.

This contract will serve an important public purpose by enabling the continued reliable operation of vital systems that first responders and other government personnel utilize to ensure safety of life and property and enable delivery of vital services to the citizens of Westchester County.

The vendor selected to provide services under the resulting contract will submit detailed reports to DoIT after completing each regularly scheduled inspection. When DoIT determines that installation or maintenance services are required, the vendor will submit a detailed work plan to be approved by DoIT before the work is carried out, will coordinate the work with DoIT staff, and will include a detailed summary of the work for review by DoIT when submitting the associated invoice. The County will withhold payment of each invoice for forty five (45) days after receipt of services covered by the invoice in order to have sufficient security to safeguard faithful performance of the contract.

I respectfully recommend the adoption of the attached resolution.

JBM/ASE/tsa

Attachment

RESOLUTION

Upon communication from the Chief Information Officer, it is hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to award the contract IT-1476-Rev for tower inspection services to Northeast Towers, Inc. as the responsive lowest responsible bidder for a term commencing upon issuance by the County of a Notice-to-Commence ("NTC") and continuing for three (3) years thereafter with a County option to renew for one additional two (2) year period, for a total contract amount not to exceed Seven Hundred and Twenty Eight Thousand, Eight Hundred and Fifty (\$728,850.00) Dollars payable in accordance with the bid price proposal as follows:

Item	Annual	Basis
Spring Inspection	\$93,350	Fixed Price
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Contract Total for 3 Years	\$728,850	Not-to-Exceed

and otherwise on the terms described in the bid specification; and be it further

RESOLVED, that the agreement is subject to County appropriations; and be it further

RESOLVED, that the 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 each 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 any or all of the agreements or to renegotiate the amounts and rates approved herein for any or all of the agreements. If the County subsequently offers to pay a reduced amount to the contractor for the agreement, then the contractor shall have the right to terminate the agreement upon reasonable prior written notice; 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:

Year	Fund	Dept	Major Program, Program & Phase or Unit	Object / Sub Object	Trust Account	Dollars
2018	101	16	2500	4200		\$188,450.00
2018	101	20	1000	4200		\$20,546.50
2018	101	44	1000	4200		\$21,255.00
2018	101	38	2000	4200		\$12,698.50
2019	101	16	2500	4200		\$188,450.00
2019	101	20	1000	4200		\$20,546.50
2019	101	44	1000	4200		\$21,255.00
2019	101	38	2000	4200		\$12,698.50
2020	101	16	2500	4200		\$188,450.00
2020	101	20	1000	4200		\$20,546.50
2020	101	44	1000	4200		\$21,255.00
2020	101	38	2000	4200		\$12,698.50

Budget Funding Year(s): 2018-2020 Start Date: Upon Notice-to-Commence (NTC) End Date: 3 Years from NTC
 (must match resolution)

Funding Source	Tax Dollars	<u>\$728,850.00</u>
	State Aid	_____
<u>\$728,850.00</u>	Federal Aid	_____
(must match resolution)	Other	_____

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION / 12/14/2017 - JONAS G. GARDI, SECRETARY