

ID#66120

DATE: November 1, 2018

TO: Board of Acquisition and Contract

FROM: Marguerite Beime, Chief Information Officer

RE: REQUEST FOR AUTHORITY TO AMEND AN AGREEMENT BETWEEN THE COUNTY OF WESTCHESTER ("COUNTY"), ACTING BY AND THROUGH ITS DEPARTMENT OF INFORMATION TECHNOLOGY ("DoIT") AND TOWERKRAFT ENGINEERING, P.C., ("TOWERKRAFT") FOR RADIO TOWER STRUCTURAL ENGINEERING SERVICES, BY EXTENDING THE TERM OF THE AGREEMENT FOR AN ADDITIONAL TWO-YEAR PERIOD TO A NEW TERMINATION DATE OF DECEMBER 31, 2020, AND BY INCREASING THE NOT-TO-EXCEED AMOUNT BY AN ADDITIONAL \$14,500 TO A NEW TOTAL AMOUNT NOT TO EXCEED \$45,375.00 (IT-1352).

BACKGROUND:

- DoIT currently manages radio systems that utilize antennas installed on radio towers at 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 & Transportation.
- Whenever there are any physical changes to a radio tower structure by adding, removing, or changing mountings, antennas, or cable feedlines, a structural study must be conducted to insure that the tower structure is being loaded properly and not being overloaded.
- On November 13, 2014 your Honorable Board approved a resolution which authorized the County to enter into an agreement (IT-1352) with Towerkraft for structural engineering services for a two (2) year period commencing January 1, 2015 and terminating December 31, 2017 in an amount not-to-exceed \$20,000.00 (the "Agreement") which Agreement was duly executed on December 2, 2014.
- On December 8, 2016 your Honorable Board approved a resolution which authorized the County to amend the Agreement with Towerkraft for structural engineering services, in order to extend the term thereof for a one (1) year period commencing January 1, 2018 and terminating December 31, 2018 and to increase the NTE by an additional \$10,875.00, from \$20,000.00 to \$30,875.00, which amendment was duly executed on February 2, 2017.
- DOIT now requests that the Agreement with Towerkraft be further amended to extend the term thereof through December 31, 2020 and to increase the NTE by an additional \$14,500.00 to a new NTE of \$45,375.00.
- Under the amendment, Towerkraft will continue to consult with DoIT staff via email and teleconference on an ongoing basis as needed, and will supply DoIT with radio tower structural reports as requested by DoIT when antennas, mountings, or cable feedlines are added or removed to existing County radio towers or replaced with different components.
- Except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect upon the parties.

- The proposed amendment will serve an important public purpose by enabling the continued reliable operation of radio towers 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 goal and objective of the proposed amendment will be to ensure that the towers used to support the County's critical government and public safety radio communication antennas continue to be utilized safely and according to engineering guidelines.
- Authority to exempt this amendment to the Agreement from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a) xxi thereof, was granted by your Honorable Board by resolution of even date herewith.

ACTION REQUESTED:

- Authorization to further amend agreement (IT-1352) with Towerkraft Engineering, P.C., having an office and place of business at 216 East 3rd Street, Alliance, NE 69301, for radio tower structural engineering services, by extending the term thereof through December 31, 2020 and by increasing the not-to-exceed amount by \$14,500.00 to \$45,375.00, payable pursuant to an approved budget.

MB/PAJ/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS - 12/13/2018 - IFA MEMORANDUM SECRETARY

RESOLUTION

Upon a communication from the Chief Information Officer, Department of Information Technology, be it hereby

RESOLVED, that the County of Westchester ("County") is hereby authorized to further amend agreement # IT-1352 with Towerkraft Engineering, P.C. (the "Agreement"), having an office and place of business at 216 East 3rd Street, Alliance, NE for radio tower structural engineering, by extending the term thereof to a new termination date of December 31, 2020 and by increasing the not-to-exceed amount thereunder by \$14,500.00 to a new total aggregate amount not to exceed \$45,375.00, pursuant to an approved budget; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect upon the parties; and be it further

RESOLVED, that this Agreement 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 duly authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes hereof.

Account to be Charged/Credited:

Original Agreement:	\$20,000.00
First Amendment:	\$10,875.00
This Amendment:	\$14,500.00
TOTAL:	\$45,375.00

Agreement No. IT-1352

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2019	101	16	2500	4420		\$ 7,250
2020	101	16	2500	4420		\$ 7,250

Budget Funding Years: 2019-2020
(must match resolution)

Start Date: January 1, 2019

End Date: December 31, 2020

Funding Source	Tax Dollars: <u>\$ 14,500</u>
	State Aid _____
<u>\$ 14,500</u>	Federal Aid _____
(must match resolution)	Other _____