

Memorandum
Department of Public Works and Transportation

66433

DATE: December 4, 2018

TO: The Honorable Board of Acquisition and Contract

FROM: Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works and Transportation

Evan Latainer, Director
Office for People with Disabilities

RE: **Authority to amend a contract with Guglielmo Limousine Services, Inc. for the provision of For Hire Car Services within the City of Yonkers to supplement Westchester County's ParaTransit service, for the period from January 1, 2018 through December 31, 2019 in an amount not to exceed \$250,000.00, payable at approved rates, by increasing the not-to-exceed amount thereunder by an additional \$200,000.00. (Contract No. DOTOP05-17)**

By resolution approved on December 21, 2017 (the "December 21st Resolution"), your Honorable Board authorized the County of Westchester, acting by and through its Department of Public Works and Transportation and the Office for People with Disabilities (the "County"), to enter into an Agreement with Guglielmo Limousine Services, Inc. ("Guglielmo") pursuant to which Guglielmo would provide For Hire Car Services within the City of Yonkers to supplement Westchester County's ParaTransit service, for a two (2) year period commencing on January 1, 2018 and continuing through December 31, 2019 (the "Agreement"). In consideration for services to be rendered, the County agreed to pay Guglielmo at the rates set forth in Schedule "A", attached to the December 21st Resolution, not to exceed the aggregate sum of \$250,000.00. The December 21st Resolution further provided that the County, at its sole option, may renew the Agreement for one (1) additional one (1) year period at the rates set forth in Schedule "A", subject to the further approval of your Honorable Board. The Agreement was subsequently executed.

Due to a higher than expected demand for For Hire Car Services in Yonkers in 2018, Guglielmo exceeded the number of trips anticipated for that year. In order to have sufficient funds available to compensate Guglielmo for the balance of the contract term, it will be necessary to increase the not-to-exceed cap under the Agreement by an additional \$200,000.00. Accordingly, authority is respectfully requested to amend the Agreement with Guglielmo in order to increase the not-to-exceed amount thereunder by an additional \$200,000.00, from an amount not-to-exceed \$250,000.00, to a new amount not-to-exceed \$450,000.00.

Except as specifically amended hereby, all remaining terms and conditions as set forth in the Agreement shall remain in full force and effect upon the parties.

It should be noted that the County previously complied with the Westchester County Procurement Policy and Procedures in connection with the selection of Guglielmo for this contract. On September 25, 2017, the County issued a Request for Proposals (the "RFP") seeking proposals from qualified firms to provide For-Hire Car Service within the City of Yonkers to supplement the County's ParaTransit service, in compliance with the Americans with Disabilities Act of 1990, as amended, and Section 15-c of the New York State Transportation Law. The RFP was posted on the Westchester County website for RFPs. The County received four (4) proposals in response to the RFP from the following proposers: Guglielmo, Agape Transportation Management ("Agape"), All County Transportation ("All County"), and Paisano Transportation ("Paisano"). Following a review of the proposals with reference to the evaluation criteria set forth in the RFP, it was determined by the review committee that both Agape and Paisano did not meet the minimum qualifications set forth in the RFP (i.e. Agape does not own any of its own vehicles and deals only with subcontractors and Paisano only does Medicaid work and didn't appear to understand the scope of work). The two other proposers, Guglielmo and All County, were asked to submit lower rates which they did. Guglielmo was ultimately selected as it was ranked the highest from among the other three proposers and has had satisfactory past experience providing these services for the County and had been found to meet the needs of the Paratransit Program as outlined in the RFP.

This contract serves a public purpose as it provides for the safety and welfare of County residents using paratransit services within the County. Performance of the Contractor will be monitored by the Department of Public Works and Transportation to ensure compliance with the contract terms. In view of the continuing importance of the Paratransit Program to the County's residents, I urge approval of the attached resolution.

HJG/EL/jpg
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester, acting by and through its Department of Public Works and Transportation and the Office for People with Disabilities (the "County"), is authorized to amend an Agreement with Guglielmo Limousine Services, Inc. ("Guglielmo"), pursuant to which Guglielmo agreed to provide For Hire Car Services within the City of Yonkers to supplement Westchester County's ParaTransit service for a two (2) year period commencing on January 1, 2018 and continuing through December 31, 2019 for an amount not-to-exceed \$250,000.00, payable at approved rates, with the County's option to renew the contract for one (1) additional one (1) year period (the "Agreement"), by increasing the not-to-exceed amount thereunder by an additional \$200,000.00, from an amount not-to-exceed \$250,000.00 to a new amount not-to-exceed \$450,000.00; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions as set forth in 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 releases(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 re-negotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount, 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 appointed designee is authorized to execute all documents associated with this agreement.

Original Agreement: \$250,000.00
 This Amendment: \$200,000.00
 Total: \$450,000.00

Contract No. DOTOP05-17

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
ParaTransit	101	44	2100	4925		\$200,000.00

Budget Funding Year(s): 2018 Start Date: January 1, 2018 End Date: December 31, 2019
 (must match resolution)

Funding Source: Tax Dollars \$200,000.00
 State Aid _____

\$200,000.00 Federal Aid _____

(must match resolution) Other _____