

71316

DATE: August 23, 2019

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne, Chief Information Officer

RE: **Authority to exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xxi thereof an agreement with Crown Communication New York, Inc. ("Crown") pursuant to which Crown will perform engineering analyses and/or radio frequency studies on a tower site owned and/or managed by Crown to determine whether the County may install certain radio communications equipment on the towers (Agreement No. IT-1569).**

BACKGROUND:

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy a "short form" contract (the "Agreement") between the County of Westchester ("County") and Crown pursuant to which Crown will perform engineering analyses and/or radio frequency studies at a tower site owned and/or managed by Crown and located on Wilmot Road in New Rochelle (the "Site") on which the County is a tenant, to determine whether the County may install additional County radio communications equipment, e.g.: antennas, microwave dishes, related equipment ("Equipment") at the Site, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures. The proposed Agreement will be for a term commencing on July 1, 2019 and continuing through June 30, 2020 in an amount not-to-exceed \$10,000.00.

Crown owns and/or manages a number of radio towers in Westchester County. The County is already a tenant at the Site and is seeking to upgrade its Equipment at this location. In connection with another communications project, the County needs to install certain additional Equipment at the Site. However, before Crown will allow any equipment to be installed on its towers, it requires radio tower engineering analyses and/or radio frequency studies to be performed. Moreover, Crown requires that its own engineers perform these assessments and studies and will not allow third-party vendors to do so.

Ordinarily, under Section 5(a) of the Procurement Policy, the County is required to solicit oral or written quotations from no fewer than three persons customarily providing the required services in order to authorize such services. However, as noted above, Crown will only allow its own engineers to conduct radio tower engineering analyses and/or radio frequency studies before it will allow the County to install its additional Equipment at the Site.

Pursuant to Section 3(a) xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed

prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting this Agreement from the County Procurement Policy. Accordingly, a Resolution to exempt the Agreement with Crown is hereby submitted for your Honorable Board's consideration.

MCB/PJ/jpg

Att:

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/19/2019 - LISA MRIJAJ, SECRETARY

RESOLUTION

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

RESOLVED, that pursuant to Section 3(a) xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting price quotations, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (“County”) in connection with an agreement (IT-1569) with Crown Communication New York, Inc. (“Crown”) for the performance of engineering analyses and radio frequency studies on the Wilmot Road radio tower owned and/or managed by Crown, to determine whether the County may install additional County radio communications equipment, e.g.: antennas, microwave dishes, related equipment on such tower.

APPROVED BOARD OF ACQUISITION & CONTRACTS 09/19/2019 ISM/MAJ, SECRETARY