

ID72878

November 26, 2019

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor, Commissioner
Department of Parks, Recreation and Conservation

RE: Authority to enter into an agreement with Starr Digital Technologies, Inc. 72 North Washington Street, Athens, New York 12015, to provide sound and lighting engineering services for the Westchester County Center for a term commencing January 1, 2020 and terminating December 31, 2020, for an amount not to exceed \$75,000.

Authority is requested of this Board to enter into an agreement with Starr Digital Technologies, Inc. ("SDT"), 72 North Washington Street, Athens, New York 12015, to provide sound and lighting engineering services for the Westchester County Center for a term commencing on January 1, 2020 and terminating December 31, 2020, for an amount not to exceed \$75,000.

SDT will be compensated based on the specific sound and lighting engineering services provided to the Westchester County Center ("WCC"). The sound and lighting engineering services and rates are as follows:

1. Provide operators/engineers for the sound and/or lighting systems when required and pre-arranged.
2. Pre-event testing of the sound and lighting systems as deemed necessary by SDT.
3. Post-event testing and assessment of the sound and lighting systems as deemed necessary by SDT.
4. Re-configuration and re-programming of the WCC sound and lighting systems relevant to event special requirements, returning system back to "normal" after the event.
5. Assistance with integration of outside (non-WCC) technology/equipment with WCC sound and lighting system technology/equipment.
6. Assisting outside technology providers and operators with consultation and information regarding integration with WCC systems.

7. Assisting outside sound and lighting engineers/operators with operational details of WCC systems.
8. Assisting/consulting to WCC management with special event technical matters including technical event planning and assessing of contractual technical riders when requested by WCC management.
9. Additional Special Attention Actions as necessary to maintain system peak performance outside of regular maintenance functions.
10. Written evaluation report with "Action Item" directives.

Rates:

System Engineer/Board Operator rate: NTE \$180.00* per hour maximum rate.
Specialist A1 & LD1 Technician day rate: NTE \$170.00* per hour maximum rate.
Reprogramming charges are additional & vary.
*minimum hours apply & vary by event, 25% minimum Overtime Charges apply after 8 hours, higher major holiday rates may apply.

The sound and lighting systems installed at the Westchester County Center by Starr Digital Technologies, Inc. are custom designed, programmed and deployed, one of a kind systems that have been uniquely designed to meet WCC's one of a kind functionality. They are a fully digital, high tech set of systems. The system design and integration are unique and proprietary. They should not be maintained, serviced, repaired or in any way modified by anyone other than SDT due to their complex, custom and proprietary nature. Doing so will endanger system function and the equipment itself, as well as precluding necessary programming and physical changes. Accordingly, the proposed Agreement is a sole source procurement in accordance with Article 9 of the Westchester County Procurement Policy.

The goal of this agreement is to allow the County to provide quality sound and theatrical lighting during concerts and shows at the Westchester County Center. This agreement promotes fiscal responsibility as the County will benefit through the additional revenue generated through the events related to this agreement.

The objectives of this agreement will be monitored through site visits from Parks, Recreation and Conservation staff members.

A resolution is attached for your favorable consideration.

RESOLUTION

Upon a communication from the Commissioner of the Department of Parks, Recreation and Conservation, be it hereby

RESOLVED, that the County of Westchester is authorized to enter into an agreement with Starr Digital Technologies, Inc. (“SDT”), 72 North Washington Street, Athens, New York 12015, to provide sound and lighting engineering services for the Westchester County Center for a term commencing on January 1, 2020 and terminating December 31, 2020, for an amount not to exceed \$75,000; and be it further

RESOLVED, that it has been determined that Starr Digital Technologies, Inc. is the only source for this service and is therefore a sole source procurement in accordance with Article 9 of the County Procurement Policy; 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 authorized designee is hereby empowered to execute any and all instruments and take such other actions as may reasonably be necessary to effectuate the purposes thereof.

Original Agreement \$75,000
This Amendment **\$** _____
TOTAL \$75,000

Account to be Charged/Credited:

| Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub- Object | Trust Account | Dollars |
|------|------|---|---------------------------|------------------|----------|
| 165 | 42 | 7150 | 4380 | | \$75,000 |
| | | | | | |
| | | | | | |

Budget Funding Year(s): 2020 Start Date: January 1, 2020 End Date: December 31, 2020

Funding Source: Tax Dollars: \$75,000
(must match resolution) State Aid _____

\$75,000 Federal Aid: _____
(must match resolution) Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 12/9/2019 - LISA MRIJAJ, SECRETARY