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DATE: December 11, 2019

TO: Board of Acquisition and Contract

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

RE: Authority to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, a.) an agreement with PTLA Enterprise, Inc., pursuant to which it will provide professional management, operation, and maintenance of a portion of the County's Bee-Line System, for a term from January 1, 2020 through December 31, 2023, and b.) an equipment lease between the County and PTLA Enterprise, Inc. for the use of County-owned equipment to be used in the performance of said services during the term of the proposed services agreement, for a term co-terminus with that of the proposed services agreement.
(Agreement No. DOTOP02-20)

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures, a.) an agreement (the "Agreement") between the County of Westchester (the "County"), acting by and through its Department of Public Works and Transportation, and PTLA Enterprise, Inc. ("PTLA"), pursuant to which PTLA would provide professional management, operation, and maintenance of a portion of the County's Bee-Line System (the "Services"), for a term from January 1, 2020 through December 31, 2023, and b.) an equipment lease between the County and PTLA for the use of County-owned buses, transit communication equipment, revenue collection, counting and reporting equipment; maintenance and supervisory vehicles; and related equipment to be used in the performance of the Services during the term of the proposed Agreement, for a term co-terminus with that of the proposed Agreement.

There is currently in place between the County and PTLA an agreement pursuant to which PTLA is to provide the Services for the term from January 1, 2019 through December 31, 2019 (the "Expiring Agreement"). The Expiring Agreement is just the most recent of the agreements between the County and PTLA for transportation services, as PTLA has provided such services to the County since 1976. During that time, PTLA has provided satisfactory services for the routes of the Bee-Line System that it has operated. The County is, therefore, confident that PTLA will continue to provide safe and reliable transportation services for the traveling public during the term of the proposed Agreement.

In addition, PTLA currently has a contract with TWU Local 100, a lease for garage space to house and maintain the County-owned vehicles, and relationships with all necessary vendors, including for the provision of fuel. The time necessary for the County to transition to a new operator for the Services, while such a new operator established its own such agreements and relationships, would risk causing a disruption in the transportation services for County residents that are currently provided by PTLA.

Notably, by entering into the proposed Agreement, both the proposed Agreement and the County's agreement for similar transportation services, for the rest of the Bee-Line System, with Liberty Lines Transit, Inc. would be set to expire on December 31, 2023. Having the two agreements be co-terminus would allow the County to consider, at a future juncture, all of its options for the future professional management, operation, and maintenance of the entire Bee-Line System.

Based on the foregoing, it is proposed that the best interests of the County would be served by exempting the proposed Agreement and proposed Equipment Lease from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof. Accordingly, a resolution to exempt this procurement is hereby submitted for your consideration.

I respectfully recommend the adoption of the attached resolution.

HJG/PC/bdm/nn

RESOLUTION

Agreement No. DOTOP02-20

Upon a communication from the Commissioner of Public Works and Transportation, 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 proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of an agreement (the "Agreement") between the County of Westchester (the "County"), acting by and through its Department of Public Works and Transportation, and PTLA Enterprise, Inc. ("PTLA"), pursuant to which PTLA would provide professional management, operation, and maintenance of a portion of the County's Bee-Line System (the "Services"), for a term from January 1, 2020 through December 31, 2023; and be it further

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 proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an equipment lease between the County and PTLA for the use of County-owned buses, transit communication equipment, revenue collection, counting and reporting equipment; maintenance and supervisory vehicles; and related equipment to be used in the performance of the Service during the term of the proposed Agreement, for a term co-terminus with that of the proposed Agreement.

APPROVED BOARD OF SUPERVISORS CONTRACT 12/16/2019 LEGAL COUNSEL SECRETARY