

75959

Date: April 9, 2020

To: Honorable Members of the Board of Acquisition and Contract

From: Marguerite Beirne, Chief Information Officer
Department of Information Technology

Re: Authority for the County of Westchester (the "County") to enter into a fourth amendment to the agreement (IT-1559) with Motorola Solutions, Inc. ("Motorola"), dated December 27, 2018, for the replacement, expansion and evolution of the County's public safety Voice Radio Communications systems to authorize Change Order Nos. 10-13 and increase the not to exceed amount for Stages 1 and 2 by \$189,183.21 for a new total not to exceed for Stages 1 and 2 of \$44,004,325.11.

On December 20, 2018, your Honorable Board approved a resolution authorizing the County, acting by and through its Department of Information Technology (the "Department"), to enter into an Agreement with Motorola for the replacement, expansion and evolution of the County's first responder and transit (Bee Line Bus) Voice Radio Communications systems (the "Agreement"). On December 27, 2018, the Agreement was duly executed for the not to exceed amounts of \$43,206,251.00 for Stages 1 and 2.

Pursuant to a Resolution approved on October 13, 2019, your Honorable Board authorized the County to enter into a first amendment to the Agreement to authorize Motorola to commence work at three (3) additional SEQRA Site locations, to wit, Dunwoodie, Mountain Lakes and Mohansic (the "First Amendment"). The First Amendment was duly executed on November 21, 2019.

Pursuant to a Resolution approved on October 13, 2019, your Honorable Board authorized the County to enter into a second amendment to the Agreement with Motorola for the approval of change order nos. 1-8 to the Work for Stages 1 and 2 in the amount of \$608,890.90 bringing the new total not to exceed for Stages 1 and 2 to \$43,815,141.90 (the "Second Amendment"). The Second Amendment was duly executed on November 21, 2019.

Pursuant to a Resolution approved on January 23, 2020, your Honorable Board authorized the County to enter into a third amendment to the Agreement with Motorola to

commence Work at an additional SEQRA Site location, to wit, Wilmot Road site (the “Third Amendment”). The Third Amendment was duly executed on February 23, 2020.

This resolution concerns four (4) additional proposed change orders to the Work for Stages 1 and 2, which, when combined, result in a total increase in the not to exceed amount for Stages 1 and 2 by \$189,183.21 bringing the new total not to exceed for Stages 1 and 2 to \$44,004,325.11.

Please note that Change Order No. 9, dated January 21, 2020, was executed between the parties on January 28, 2020 and, pursuant to Section 2(f) of the Agreement, did not require a formal Amendment to the Agreement because it did not (1) result in an increase to the total amount payable under the Agreement, (2) extend the duration of the Agreement or (3) substantially change the Work performed under the Agreement.

Authorization is now being requested to enter into the fourth amendment to the Agreement in order to: (i) amend the Work for Stages 1 and 2 as set forth in Change Order Nos. 10-13; (ii) increase the not to exceed amount for Stages 1 and 2 by \$189,183.21, bringing the new total not to exceed amount for Stages 1 and 2 to \$44,004,325.11, and (iii) replace the budget and payment schedule attached to the Agreement as Schedule “C” with a new Schedule “C,” which is consistent with the changes reflected in the Change Order Nos. 10-13 approved herein, with all other terms and conditions of the Agreement, as amended, remaining the same. Further, authorization is requested to execute Change Order Nos. 10-13 at this time. The four (4) Change Orders are the following:

#	Description for Change Order and change in Work under the Agreement	Change Order Amount
10	Alpine – Inverter and Electrical	\$23,527.00
11	Winged Foot – DC Plant; Mohansic to Putnam Valley	\$0.00
12	Mountain Lakes – Tower increase to 180ft	\$407,563.00
13	Park Lane & French Hill – Remove	-\$241,906.79
	Total change in Contract Price for Change Orders 10-13	\$189,183.21

Except as modified herein, all terms and conditions of the Agreement, as amended, shall remain in full force and effect.

Accordingly, the attached resolution is submitted for your consideration.

MB/RAN

Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”) is authorized to enter into a fourth amendment to the Agreement with Motorola Solutions, Inc. dated December 27, 2018, for the replacement, expansion and evolution of the County’s first responder and transit (Bee Line Bus) Voice Radio Communications Systems, as amended, (the “Agreement”) to (i) amend the Work for Stages 1 and 2 as set forth in Change Order Nos. 10-13 attached hereto; (ii) increase the not to exceed amount for Stages 1 and 2 as set forth in Section 3(a) of the Agreement by \$189,183.21, bringing the new total not to exceed amount for Stages 1 and 2 to \$44,004,325.11 and (iii) replace the budget and payment schedule in Schedule “C” of the Agreement with a new Schedule “C” which is consistent with the Change Orders approved herein; and be it further

RESOLVED, that the County is authorized to execute Change Orders Nos. 10-13 as follows:

#	Description of Change in Work	Change Order Amount
10	Alpine – Inverter and Electrical	\$23,527.00
11	Winged Foot – DC Plant; Mohansic/Putnam Valley – Uwave	\$0.00
12	Mountain Lakes – Tower Increase to 180ft	\$407,563.00
13	Park Lane & French Hill – Remove	-\$241,906.79
	Total change in Contract Price for Change Orders 10 - 13	\$189,183.21

and, be it further

RESOLVED, except as modified herein, that all other terms and conditions of the Agreement, as amended, shall remain the same and in full force and effect; 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.

Agreement Number: IT-1559
 Original Agreement: \$ 43,206,251.00
 First Amendment: 0.00
 Second Amendment: \$ 608,890.90
 Third Amendment: \$ 0.00
This Amendment \$ 189,183.21
 TOTAL \$ 44,004,325.11

Account to be Charged/ Credited	Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account or Bond Act	Dollars
	2019	316	16	BIT3207S	6190	114-2018	\$119,189.82

2019	316	16	BIT3208S	6190	115-2018	\$69,993.39
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Budget Funding Year(s): 2019 Start Date: Effective Date of the Contract End Date: December 31, 2023
(must match resolution)

Funding Source	Tax Dollars:	<u>100%</u>
	State Aid:	<u> </u>
<u>\$189,183.21</u>	Federal Aid:	<u> </u>
(must match resolution)	Other:	<u> </u>

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/23/2020 - LISA MRIJAJ, SECRETARY