



Memorandum
Department of Information and Technology

ID#81239

Date: December 7, 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 to enter into an amendment to the agreement with Motorola Solutions, Inc., dated December 27, 2018, for the replacement, expansion and evolution of the County's public safety Voice Radio Communications Systems, as amended, to provide for the following: (1) approve Change Order No. 14 for work concerning the Summit Avenue site; (2) approve Change Order No. 15 for work concerning the Playland site; (3) authorize Motorola to proceed with Work at the Additional SEQRA Site Location known as the Guard Hill site for Stages 1 and 2 and approve Change Order No. 16 for work concerning the Guard Hill site, subject to the requirement that no work shall be commenced by Motorola at or for the Guard Hill site unless and until it receives written notice from the CIO to commence such work; (4) increase the not to exceed amount for Stages 1 and 2 by \$1,582,673.00 for a new total not to exceed for Stages 1 and 2 of \$45,586,998.11; and (5) approve Northeastern Communications, Inc. as a subcontractor to perform Subscriber installation. (IT-1559)

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

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) of the Additional SEQRA Site locations known as the Dunwoodie, Mountain Lakes and Mohansic sites (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 to approve 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 amount 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 to authorize the commencement of Work at the Additional SEQRA Site location known as the Wilmot Road site (the "Third Amendment"). The Third Amendment was duly executed on February 23, 2020.

Change Order No. 9, dated January 21, 2020, was executed between the County and Motorola on or about January 28, 2020 to clarify the price of the Subscriber warranty. Pursuant to Section 2(f) of the Agreement, Change Order No. 9 did not require a formal amendment to the Agreement because it did not result in an increase to the total amount payable under the Agreement, extend the duration of the Agreement or substantially change the Work performed under the Agreement.

Pursuant to a resolution approved on April 23, 2020, your Honorable Board authorized the County to enter into a fourth amendment to the Agreement to approve Change Order Nos. 10-13 to the Work for Stages 1 and 2 in an amount not to exceed of \$189,183.21 bringing the new total not to exceed amount for Stages 1 and 2 to \$44,004,325.11 (the "Fourth Amendment"). The Fourth Amendment was duly executed on May 6, 2020.

Pursuant to a resolution approved on April 30, 2020, your Honorable Board authorized the County to enter into a fifth amendment to the Agreement to amend the payment milestone in Item 10 of Schedule "C" of the Agreement for certain fixed network equipment ("FNE") for the Sun Valley and the Montrose VA Hospital sites (the "Fifth Amendment"). The Fifth Amendment was duly executed on May 20, 2020.

Pursuant to a resolution approved on June 12, 2020, your Honorable Board authorized the County to enter into a sixth amendment to the Agreement to authorize the commencement of Work at the Additional SEQRA Site location known as the Hardscrabble Road site (the "Sixth Amendment"). The Sixth Amendment was duly executed on June 17, 2020.

Pursuant to a resolution approved on July 2, 2020, your Honorable Board authorized the County to enter into an amendment to the Agreement to authorize the commencement of Work at the Additional SEQRA Site location known as the WHUD site. To date, this amendment has not been executed between the County and Motorola.

Authorization is now being requested to amend the Agreement as follows:

(1) approve Change Order No. 14 for work concerning the Summit Avenue site in the amount of \$187,183.00,

(2) approve Change Order No. 15 for work concerning the Playland site in the amount of \$57,830.00,

(3) authorize Motorola to proceed with work at the Additional SEQRA Site Location known as the Guard Hill site for Stages 1 and 2 and approve the Change Order No. 16 for work concerning the Guard Hill site in the amount of \$1,337,660.00, subject to the requirement that no work shall be commenced by Motorola at or for the Guard Hill site unless and until it receives written notice from the CIO to commence such work,

(4) increase the not to exceed amount for Stages 1 and 2 by \$1,582,673.00 bringing the new total not to exceed amount for States 1 and 2 to \$45,586,998.11, and

(5) authorize Motorola to use Northeastern Communications, Inc. d/b/a Norcomct as a subcontractor to perform Subscriber installation.

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/10/2020 - LISA MRISAJ, SECRETARY

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"), acting by and through its Department of Information Technology (the "Department"), is hereby authorized to amend the Agreement with Motorola Solutions, Inc. ("Motorola"), dated December 27, 2018, as amended, for the replacement, expansion and evolution of the County's public safety Voice Radio Communications Systems (IT-1559) (the "Agreement") to approve work for Stages 1 and 2 concerning the Summit Avenue site, as set forth in Change Order No. 14, which is attached hereto and made a part hereof, in the amount of \$187,183.00, and be it further

RESOLVED, that the County is authorized to amend the Agreement to approve work for Stages 1 and 2 concerning the Playland site, as set forth in Change Order No. 15, which is attached hereto and made a part hereof; in the amount of \$57,830.00; and be it further

RESOLVED, that the County is authorized to proceed with work at the Additional SEQRA Site location known as Guard Hill, and amend the Agreement to approve work for Stages 1 and 2 concerning the Guard Hill site, as set forth in Change Order No. 16, which is attached hereto and made a part hereof, in the amount of \$1,337,660.00, subject to the requirement that no work shall be commenced at or for the Guard Hill site by Motorola unless and until it receives written notice from the CIO to commence such work; and be it further

RESOLVED, that the County is authorized to increase the not to exceed amount for Stages 1 and 2 by \$1,582,673.00 bringing the new total not to exceed amount for Stages 1 and 2 to \$45,586,998.11 and 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 Order Nos. 14, 15 and 16; and be it further

RESOLVED, that the County is authorized to amend the Agreement to approve Northeastern Communications, Inc., d/b/a Norcomct as a subcontractor for Subscriber installation; 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
 Fourth Amendment: \$ 189,183.21
 Fifth Amendment: \$ 0.00
 Sixth Amendment: \$ 0.00
This Amendment: \$ 1,582,673.00
 TOTAL \$ 45,586,998.11

Account to be Charged/ Credited	Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account or Bond Act	Dollars
	2020	101	16	2500	4200		\$187,183.00
2020	316	16	BIT3208S	6190	115-2018	\$57,830.00	
2020	316	16	BIT4101S	6190	41-2020	\$1,337,660.00	

Budget Funding Year(s): 2019, 2020 Start Date: Effective Date of the Contract End Date: December 31, 2023
 (must match resolution)

Funding Source Tax Dollars: 100%
 State Aid: NA
\$1,582,673.00 Federal Aid: NA
 (must match resolution) Other: NA

APPROVED BOARD OF ACQUISITION & CONTRACTS 2/10/2020 LISA MRIJAJ, SECRETARY