

82769

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne
Chief Information Officer

DATE: February 17, 2021

SUBJECT: Resolution authorizing the County of Westchester to amend an existing Contract No. **IT-1476-Rev** with Northeast Towers, Inc., for the inspection and maintenance services for various County Radio Antenna Sites, for a period of three (3) years, commencing on March 23, 2018 and expiring on March 22, 2021, with the County having the sole option to renew the term of the Agreement for one (1) additional two (2) year period, for an aggregate amount of \$728,850.00, in order for the County to (i) exercise its sole option to renew the term of the agreement for one (1) additional two (2) year period, commencing on March 23, 2021 and expiring on March 22, 2023, and (ii) to increase the not-to-exceed amount of the Agreement by an aggregate amount of \$497,994.52.

On December 14, 2017, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Information and Technology ("Department" or "DoIT"), to enter into Contract No. **IT-1476-Rev** (the "Agreement") with Northeast Towers, Inc. ("Northeast Towers"), pursuant to which Northeast Towers was to provide inspection and maintenance services for various County Radio Antenna Sites, for a term of three (3) years, commencing on March 23, 2018 (the date the County issued the Notice-to-Commence work letter), and expiring on March 22, 2021, for an aggregate amount not to exceed \$728,850.00, with the County having the sole option to renew the term of the Agreement for one (1) additional two (2) year period, upon the same terms and conditions. The Agreement was subsequently executed on or around March 18, 2018.

Authority is now hereby requested from your Honorable Board to authorize the County to enter into an amendment (the "First Amendment") to the Agreement in order for the County to (i) exercise its sole option to extend the term of the Agreement for one (1) additional two (2) year period, commencing on March 23, 2021 and expiring on March 22, 2023, and (ii) increase the not-to-exceed amount of the Agreement by an aggregate amount of \$497,994.52, to a new total not-to-exceed amount of \$1,226,844.52.

DoIT manages radio systems that utilize antennas installed on radio towers, rooftops, and water tanks at several sites throughout the County. These sites are used primarily to support radio communication systems relied upon by first responders and other government personnel. End users include the Departments of Emergency Services, Public Safety, Corrections, and Public Works and Transportation. Under the Agreement, as amended by the proposed First Amendment, Northeast Towers will continue to submit detailed reports to DoIT after completing each regularly scheduled inspection of the County Radio Antenna Towers. When DoIT determines that installation or maintenance services are required, Northeast Towers will submit a detailed work plan to be approved by DoIT before the work is carried out, will coordinate the work with DoIT staff, and will include a detailed summary of the work for review by DoIT when submitting the associated invoice for such necessary installation or maintenance work.

This Agreement, as amended by the proposed First Amendment, will continue to serve an important public purpose by enabling the continued reliable operation of vital systems that first responders and other government personnel utilize to ensure safety of life and property and the delivery of vital services to the citizens of Westchester County.

Except as otherwise modified hereby, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

Accordingly, approval of the attached resolution is most respectfully requested.

MB/CMC/cmc

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/18/2021 - LISA MRVAJ, SECRETARY

RESOLUTION

Upon communication from the Chief Information Officer, it is hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend (the "First Amendment") an existing contract IT-1476-Rev (the "Agreement") with Northeast Towers, Inc. ("Northeast Towers"), for tower inspection and maintenance services, for a term of three (3) years, which commenced on March 23, 2018, the date the County issued Notice-to-Commence to Northeast Towers, for a total contract amount not to exceed \$728,850.00, with the County having the sole option to renew the term for one (1) additional two (2) year period, upon the same terms and conditions, in order for the County to (i) exercise its sole option to renew the term of the Agreement for one (1) additional two (2) year period, commencing on March 23, 2021 and expiring on March 22, 2023, and (ii) increase the not-to-exceed amount of the Agreement by \$497,994.52 to a new total not-to-exceed amount of \$1,226,844.52; and be it further

RESOLVED, that except as otherwise modified hereby by the First Amendment, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect; and be it further

RESOLVED, that the Agreement, as amended by the First Amendment, is subject to County appropriations; and be it further

RESOLVED, that the Agreement, as amended by the First Amendment, 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 the 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 the Agreement or to renegotiate the amounts and rates approved therein. If the County subsequently offers to pay a reduced amount to Northeast Towers for the Agreement, as amended by the proposed First Amendment, then Northeast Towers shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

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Original Agreement \$728,850.00
 This Amendment \$497,994.52
 Total \$1,226,844.52

Contract No. IT-1476-Rev.

Account to be charged/credited	Year	Fund	Dept	Major Program, Program & Phase or Unit	Object / Sub Object	Trust Account	Dollars
	2021	101	16	2500	4200		\$188,450.00
2021	101	20	1000	4200		\$20,546.50	
2021	101	44	2100	4200		\$21,255.00	
2021	101	38	2000	4200		\$12,698.50	
2022	101	16	2500	4200		\$188,450.00	
2022	101	20	1000	4200		\$20,546.50	
2022	101	44	2100	4200		\$21,255.00	
2022	101	38	2000	4200		\$12,698.50	
2023	101	20	1000	4200		\$4,559.63	
2023	101	44	2100	4200		\$4,716.86	
2023	101	38	2000	4200		\$2,818.03	

Budget Funding Year(s): 2021-2023 Start Date: March 23, 2021 End Date: March 22, 2023
 (must match resolution)

Funding Source Tax Dollars \$497,994.52
 State Aid _____
\$497,994.52 Federal Aid _____
 (must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS - 02/18/2023 - LISA MARIJKA SECRETARY