

DATE: April 9, 2010

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne, Chief Information Officer

RE: AUTHORIZATION TO AMEND CONTRACT IT-942 WITH THE SPECTRUM FIRM, INC. FOR RADIO FREQUENCY ENGINEERING AND LICENSING SERVICES BY EXTENDING THE TERM TWENTY MONTHS TO A NEW TERMINATION DATE OF DECEMBER 31, 2011 AND BY INCREASING THE AMOUNT BY \$60,000 TO A NEW TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$212,000

BACKGROUND:

- On January 31, 2008 ("the January 31st resolution"), your Honorable Board approved a resolution which authorized entering into an agreement (IT-942) with The Spectrum Firm, Inc. ("TSF") for radio frequency engineering and licensing services, for a one year period commencing on January 15, 2008 and terminating on January 14, 2009 for a total not to exceed contract amount of \$70,000.
- On May 1, 2008, your Honorable Board approved a resolution which authorized that the January 31st resolution be amended to include Fox Ridge Communications, Inc. as a subcontractor and that the one year term of the agreement be changed to a new commencement date of May 1, 2008 and a new termination date of April 30, 2009, with all other terms and conditions of the January 31st resolution to remain the same. Contract IT-942 with TSF, authorized in these resolutions, was subsequently executed and approved.
- On March 26, 2009, your Honorable Board approved a resolution which authorized an amendment to contract IT-942 with TSF by extending the term one year to a new termination date of April 30, 2010 and by increasing the amount by \$82,000, to a new total not to exceed contract amount of \$152,000. The first amendment authorized in this resolution was subsequently executed and approved.
- The Department of Information Technology continues its effort to build and maintain effective radio communication systems for use by the Department of Emergency Services in dispatching Fire and EMS agencies countywide, the Department of Transportation in the operation of its bus fleet, and the Department of Public Safety for dispatching police officers. In support of this effort, we have utilized consultant services to perform radio frequency searches and radio frequency engineering and licensing work.

- Continued services from TSF are necessary in order to permit the County to acquire and maintain radio licenses from the Federal Communications Commission (FCC) for the many systems that the County owns and operates. TSF will supply monthly progress reports via email by project with details and timelines, and shall include updates regarding the following when appropriate:
 - Receipt of license application information from the County
 - Review and suggestion of changes to County radio applications when deemed necessary
 - Submission of applications to the frequency coordinators for spectrum coordination
 - Follow up with the frequency coordinators during the application process
 - Monitoring the status of pending frequency coordination requests and applications to the FCC through processing and eventual grant
 - Follow up with the FCC during the application process
 - Phone conferences between the County and TSF to discuss the progress of each project
- We have been satisfied with the consulting services provided by TSF in the past and we would like to amend contract IT-942 with TSF for the aforementioned services. TSF is thoroughly familiar with the County's radio projects, and for continuity of workflow, it is our recommendation that it would be cost effective and expedient, and certainly in the best interest of the County to amend our contract with TSF for radio engineering and licensing services.
- We now come before your Honorable Board requesting approval to extend the term of the agreement twenty months until December 31, 2011 and to increase the amount by \$60,000 to a new total not to exceed amount of \$212,000 with all other terms and conditions to remain the same.
- This contract will have a public purpose because it will affect the coverage, capacity, and capability of radio communication systems which are used by Police, Fire, EMS, and Transportation officials to assure the safety and general welfare of County residents during routine and emergency situations.
- The goals and objectives of the services requested in the attached resolution are to maintain and improve radio communication services. TSF will assist the County of Westchester in acquiring and maintaining radio licenses from the FCC for the many systems that the County owns, operates and is in the process of building. This will help to improve the communications ability of the County, in particular for the Departments of Public Safety, Emergency Services, and Transportation.
- The Spectrum Firm will supply regular progress reports via email, by project, with details and timeline dates. The reports will detail progress made in the many steps that the FCC radio license application requires. When needed, we will conduct telephone conferences with TSF to discuss the progress of each project.
- The attached resolution demonstrates fiscal responsibility by continuing to utilize efficient and knowledgeable service providers who are already familiar with the County's complex FCC licensing needs. If this resolution were not to be approved, the County's ability to use the most cost effective means to complete ongoing licensing work would be hindered.
- The attached resolution serves the goal of assuring that contracts have a positive impact on the safety and security of the County by allowing the County to effectively continue work on projects that positively impact public safety. If this resolution were not to be approved, the County's ability to expeditiously continue this critical work would be undermined.

- Authority to exempt this amendment to the agreement from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3 (a) xxi thereof, has been submitted to your Honorable Board in accordance with a separate resolution submitted of even date herewith.

ACTION REQUESTED:

- Authorization to amend contract IT-942 with The Spectrum Firm, Inc., having a place of business located at 2213 Cypress Court, Flower Mound, Texas 75028, for radio frequency engineering and licensing services, by extending the term twenty months to a new termination date of December 31, 2011 and by increasing the amount by \$60,000 to a new total not to exceed contract amount of \$212,000, with all other terms and conditions of the agreement to remain the same.

Accordingly, the attached resolution is submitted for your consideration.

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-22-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE CHIEF INFORMATION OFFICER, DEPARTMENT OF INFORMATION TECHNOLOGY, BE IT HEREBY

RESOLVED: that the County of Westchester is hereby authorized to amend contract IT-942 with The Spectrum Firm, Inc., having a place of business located at 2213 Cypress Court, Flower Mound, Texas 75028, for radio frequency engineering and licensing services, by extending the term twenty months to a new termination date of December 31, 2011 and by increasing the amount by \$60,000, payable monthly pursuant to an approved schedule, to a new total not to exceed contract amount of \$212,000; and be it further

RESOLVED, this Agreement is subject to County appropriations; and be it further

RESOLVED, 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 all other terms and conditions of the agreement shall remain the same; 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.

Original Agreement:	\$ 70,000
First Amendment:	\$ 82,000
<u>This Amendment:</u>	<u>\$ 60,000</u>
Total:	\$212,000

Contract No. **IT-942**

Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2010	101	16	2500	4420		30,000
2011	101	16	2500	4420		30,000

Budget Funding Year(s): 2010 & 2011 Start Date: May 1, 2010 End Date: December 31, 2011

Funding Source: Tax Dollars: \$60,000
 State Aid _____
\$60,000 Federal Aid _____
 (must match resolution) Other _____