

86987

TO: Honorable Board of Acquisition and Contract

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

Evan Latainer
Director, Office for People with Disabilities

DATE: August 18, 2021

SUBJECT: Authority to amend an agreement with ACT Now Limousine Services, Inc. to provide paratransit car services for a term from January 1, 2020 through December 31, 2024, in order to provide for a surcharge of \$1.48 per trip for the first 3,000 trips per month for the period from January 1, 2021 through December 31, 2021, to cover COVID-19-related protective equipment and cleaning expenses, in a total amount not to exceed \$53,300.00, for an amended aggregate amount not to exceed \$14,733,310.00 (Agreement No. DOTOP04-20)

On December 19, 2019, your Honorable Board approved a Resolution authorizing the County of Westchester (the "County") acting by and through its Department of Public Works and Transportation (the "Department") to enter into an agreement (the "Agreement") with ACT Now Limousine Services, Inc. ("ACT Now") to provide paratransit car services for a term from January 1, 2020 through December 31, 2024, for an amount not to exceed \$14,625,000.00, payable pursuant to specified rates and subject to appropriation. The County has an option to renew the term for five additional years.

The Agreement provides that payment in each of the first five years will be in the following not to exceed amounts and per trip rates:

2020	\$2,800,000	\$26.75 per trip
2021	\$2,800,000	\$26.75 per trip
2022	\$2,800,000	\$26.75 per trip
2023	\$3,075,000	\$28.75 per trip
2024	\$3,150,000	\$28.75 per trip

On October 15, 2020, your Honorable Board approved a Resolution authorizing the County to amend the Agreement in order to cover ACT Now's expenditures for unanticipated personal protective equipment, weekly car sanitizing, and cleaning supplies due to the COVID-19 pandemic. This amendment provided for a surcharge of \$7.6389 per trip for the first 800 trips per month for the period from April 1, 2020 through December 30, 2020, in a total amount not to exceed \$55,010.00, for an amended aggregate amount not to exceed \$14,680,010.00. This amendment was paid from Federal CARES Act funding. All remaining terms and conditions of the Agreement remained unchanged.

Authority is now requested for the County to enter into a second amendment to the Agreement in order to cover ACT Now's additional expenditures for personal protective equipment, weekly car sanitizing, and cleaning supplies. These expenses have been necessitated by the continued COVID-19 pandemic, and were not anticipated when the parties entered into the Agreement. This second amendment will provide for a surcharge of \$1.48 per trip for the first 3,000 trips per month for the period from January 1, 2021 through December 31, 2021, in a total amount not to exceed \$53,300.00, for an amended aggregate amount not to exceed \$14,733,310.00. This second amendment will be paid from Federal stimulus funds from the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARPA). The contractor will be paid the surcharge only to the extent it provides evidence of actual expenditures for personal protective equipment, weekly car sanitizing/cleaning and cleaning supplies used in the paratransit service. All remaining terms and conditions of the Agreement, as amended, will remain unchanged.

The goal and objective of the Agreement is to ensure that the County receives from a qualified, adequately-staffed vendor the paratransit services needed for ambulatory riders who are unable to ride regular Bee-Line bus service. The Agreement will be tracked and monitored by the staff of the Department and the Office for People with Disabilities.

We recommend adoption of the attached proposed Resolution.

HJG/EL/dlv

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/16/2021 - 3PM - SECURED SIGNATURE

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation and the Director of the Office for People with Disabilities, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to enter into a second amendment to an agreement with ACT Now Limousine Services, Inc. to provide paratransit car services for a term from January 1, 2020 through December 31, 2024, in order to provide for a surcharge of \$1.48 per trip for the first 3,000 trips per month for the period from January 1, 2021 through December 31, 2021, in a total amount not to exceed \$53,300.00, for an amended aggregate amount not to exceed \$14,733,310.00, in order to cover ACT Now's additional expenditures for personal protective equipment, weekly car sanitizing, and cleaning supplies; and be it further

RESOLVED, that all remaining terms and conditions of the Agreement, as amended, shall remain unchanged; and and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any instruments and to take any actions reasonably necessary to implement this Resolution.

Original Agreement:	\$14,625,000.00
First Amendment:	\$ 55,010.00
This Amendment:	<u>\$ 53,300.00</u>
TOTAL:	\$14,733,310.00

Agreement No. DOTOP04-20

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	44	2100	4998		\$53,300.00

Budget Funding Year(s): 2021 Start Date: 01/01/2021 End Date: 12/31/2021
 (must match resolution)

Funding Source: Tax Dollars _____
 State Aid _____
\$53,300.00 Federal Aid 100%
 (must match resolution) Other _____