

87041

DATE: August 17, 2021

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne, Chief Information Officer

RE: AUTHORIZATION TO EXEMPT FROM THE WESTCHESTER COUNTY PROCUREMENT POLICY AND PROCEDURES PURSUANT TO SECTION 3(a)xxi THEREOF, THE PROCUREMENT OF AN AGREEMENT FOR THE PROVISION OF RADIO TOWER STRUCTURAL ENGINEERING SERVICES (IT-1668), FOR A NOT TO EXCEED AMOUNT OF \$27,000.00, PURSUANT TO AN APPROVED BUDGET, FOR THE PERIOD FROM COMMENCING ON AUGUST 1, 2021 AND CONTINUING THROUGH JULY 31, 2024.

BACKGROUND:

- The County, acting by and through its Department of Information Technology (“DoIT” or “Department”), currently manages radio systems that utilize antennas installed on radio towers at sites throughout the County of Westchester. 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 & Transportation.
- Whenever there are any physical changes to a radio tower structure by adding, removing, or changing mountings, antennas, or cable feedlines, a structural study must be conducted to insure that the tower structure is being loaded properly and not being overloaded.
- The County entered into contract (IT-1220) with Towerkraft Engineering, P.C. (“Towerkraft”) on or about August 9, 2012 (“2012 Agreement”), for a period from January 1, 2012 through December 31, 2014, for radio tower structural engineering services, as authorized by your Honorable Board on January 19, 2012. The Agreement expired on December 31, 2014.
- The County entered into another contract (IT-1352) with Towerkraft, dated December 2, 2014, as amended by a First Amendment (IT-1353A1), dated February 2, 2017 and a Second Amendment (IT-1353A2), dated April 2, 2019 (collectively, the “2014 Agreement”), for a period from January 1, 2015 through December 31, 2020, for radio tower structural engineering services, as authorized by resolutions approved by your Honorable Board on November 13, 2014, December 8, 2016 and December 13, 2018, respectively.

- Having provided radio tower structural engineering services to the County for more than 7 years, first as a subcontractor to Mid-State Communications and later pursuant to the prior agreements, including the 2012 Agreement and the 2014 Agreement, Towerkraft is thoroughly familiar with the County's radio towers and over the years has created and maintained structural study data for most of the County radio towers. In order for another firm to provide structural reports for these towers, it would be necessary to pay them to re-create the analysis already performed by Towerkraft. It would require that the new firm create new studies as opposed to having Towerkraft update the existing structural information on hand. This process would be neither cost effective in terms of fees paid, nor efficient in terms of the consultant and County staff time required to accomplish it.
- Therefore, pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interest of the County. Based on the reasons described above, it is proposed that the best interest of the County would be served by exempting the procurement of structural engineering services from Towerkraft from the County Procurement Policy and Procedures.

ACTION REQUESTED:

- Authorization to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, the procurement of an agreement with Towerkraft (IT-1668) for structural engineering services for radio towers at sites throughout the County of Westchester used by the County to support radio communication systems relied upon by first responders and other government personnel.

Accordingly, the attached resolution is submitted for your consideration.

MB/CMC
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS 09/02/2021 BY: JAMES J. COULKY, DEPUTY COUNTY CLERK

RESOLUTION

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

RESOLVED, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting written quotations, is neither cost effective nor expedient, and accordingly, not in the best interests of the County in connection with the procurement of an agreement with Towerkraft Engineering, P.C. (IT-1668) for the provision of structural engineering services for radio towers at sites within the County of Westchester, used by the County of Westchester in managing radio systems primarily to support radio communication systems used by first responders and other government personnel.

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/02/2021 - MAYNOM SULLY, SECRETARY