

87042

DATE: August 17, 2021

TO: Board of Acquisition and Contract

FROM: Marguerite Beime, Chief Information Officer

RE: AUTHORIZATION TO ENTER INTO AN AGREEMENT (IT-1668) WITH TOWERKRAFT ENGINEERING, P.C., FOR RADIO TOWER STRUCTURAL ENGINEERING SERVICES FOR A TERM COMMENCING AUGUST 1, 2021 THROUGH JULY 31, 2024, IN AN AMOUNT NOT-TO-EXCEED \$27,000.00, PURSUANT TO AN APPROVED BUDGET.

BACKGROUND:

- The County of Westchester ("County"), acting by and through its Department of Information Technology (DoIT) currently manages radio systems that utilize antennas installed on radio towers at 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 County's 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.
- On January 19, 2012 your Honorable Board approved a resolution which authorized the County to enter into an agreement (IT-1220) with Towerkraft Engineering, P.C. ("Towerkraft") for structural engineering services for a thirty-six month period commencing January 1, 2012 and terminating December 31, 2014, which agreement was duly executed on or about August 09, 2012 ("2012 Agreement").
- On November 13, 2014, your Honorable Board approved a resolution which authorized the County to enter into an agreement (IT-1352) with Towerkraft, for radio tower structural engineering services, for another period of thirty-six months commencing on January 1, 2015 and terminating on December 31, 2017, which agreement was duly executed on December 2, 2014, and was subsequently amended by a certain First Amendment (IT-1353A1), dated February 2, 2017 and a certain Second Amendment (IT-1353A2), dated April 2, 2019 (collectively, the "2014 Agreement"), which extended the term of the original agreement from January 1, 2018 through December 31, 2020, as authorized by your Honorable Board pursuant to resolutions approved on 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 our radio towers. In order for another firm to be able to take over the providing of 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.
- Towerkraft will consult with DoIT staff via email and teleconference on an ongoing basis as needed, and will supply DoIT with radio tower structural reports as requested by DoIT when antennas, mountings, or cable feedlines are added or removed to existing County radio towers or replaced with different components.
- The proposed agreement will serve an important public purpose by enabling the continued reliable operation of radio towers that first responders and other government personnel utilize to ensure safety of life and property and enable delivery of vital services to the citizens of Westchester County.
- The goal and objective of the resulting contract will be to ensure that the towers used to support the County's critical government and public safety radio communication antennas continue to be utilized safely and according to engineering guidelines.
- Authority to exempt this agreement from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof, has been granted by your Honorable Board in accordance with a separate resolution of even date herewith.

ACTION REQUESTED:

- Authorization to enter into an agreement with Towerkraft Engineering, P.C. (IT-1668), having an office and place of business at 4423 Alvo Road, Utica, Nebraska 68456, for radio tower structural engineering services, for a term commencing August 1, 2021 through July 31, 2024, for a contract amount not-to-exceed \$27,000.00, payable pursuant to an approved budget.

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 enter into an agreement ("Agreement") with Towerkraft Engineering, P.C., (IT-1668), having an office and place of business at 4423 Alvo Road, Utica, Nebraska 68456, for radio tower structural engineering for a term commencing August 1, 2021 and terminating July 31, 2024, for a contract amount not-to-exceed \$27,000.00, pursuant to an approved budget; and be it further

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

RESOLVED, that 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 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.

Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2021	101	16	2500	4420		\$3,750
2022	101	16	2500	4420		\$9,000
2023	101	16	2500	4420		\$9,000
2024	101	16	2500	4420		\$5,250

Budget Funding Years: 2021-2024 Start Date: August 1, 2021 End Date: July 31, 2024
 (must match resolution)

Funding Source Tax Dollars: \$ 27,000
 State Aid _____
\$ 27,000 Federal Aid _____
 (must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/02/2021 - RAYMOND SCULKY, SECRETARY