



109911

Date: November 4, 2024

To: Honorable Members of the Board of Acquisition and Contract

From: Marguerite Beirne, Chief Information Officer
Department of Information Technology

Re: Authority for the County of Westchester to amend its agreement with Motorola Solutions, Inc., dated December 27, 2018 for the replacement, expansion and evolution of the County's public safety Voice Radio Communications Systems (IT-1559) to agree to Change Order Nos. 28-52, a reduction in the not to exceed amount for Stages 1 and 2 by \$53,957.17 for a new total not to exceed amount of \$45,414,870.53, and additional subcontractors to perform work under the agreement.

On December 20, 2018, your Honorable Board approved a resolution authorizing the County of Westchester (the "County"), acting by and through its Department of Information Technology (the "Department"), to enter into an agreement with Motorola Solutions, Inc. ("Motorola") for the replacement, expansion and evolution of the County's first responder and transit (Bee Line Bus) Voice Radio Communications Systems (IT-1559) (the "Initial Agreement"). On December 27, 2018, the County and Motorola executed the Initial Agreement for the not to exceed amount of \$43,206,251.00 for Stages 1 and 2.

Pursuant to a Resolution approved on October 13, 2019, your Honorable Board authorized the County to enter into a first amendment to the Initial Agreement to authorize Motorola to commence work at three (3) Additional SEQRA Site locations known as Dunwoodie, Mountain Lakes and Mohansic (the "First Amendment"). On November 21, 2019, the County and Motorola executed the First Amendment.

Pursuant to a Resolution approved on October 13, 2019, your Honorable Board authorized the County to enter into a second amendment to the Initial Agreement to approve Change Order Nos. 1-8 to the Work for Stages 1 and 2 Work in the amount not to exceed \$608,890.90 bringing the new total not to exceed amount for Stages 1 and 2 to \$43,815,141.90 (the "Second Amendment"). On November 21, 2019, the County and Motorola executed the Second Amendment.

Pursuant to a Resolution approved on January 23, 2020, your Honorable Board authorized the County to enter into a third amendment to the Initial Agreement to commence Work at the Additional SEQRA Site location known as the Wilmot Road site (the “Third Amendment”). On February 23, 2020, the County and Motorola executed the Third Amendment.

On January 23, 2020, the parties executed Change Order No. 9 to clarify the price of the subscriber warranty, which, pursuant to Section 2 (f) of the Primary Agreement, did not require a formal Amendment to the Initial Agreement, as amended, because it did not: (1) result in an increase to the total amount payable under the Initial Agreement, (2) extend the duration of the Initial Agreement, or (3) substantially change the Work performed under the Initial Agreement.

Pursuant to a Resolution approved on April 23, 2020, your Honorable Board authorized the County to enter into a fourth amendment to the Initial Agreement to approve Change Order Nos. 10-13 to the Work for Stages 1 and 2 in the amount not to exceed of \$189,183.21 bringing the new total not to exceed amount for Stages 1 and 2 to \$44,004,325.11 (the “Fourth Amendment”). On May 6, 2020, the County and Motorola executed the Fourth Amendment.

Pursuant to a Resolution approved on April 30, 2020, your Honorable Board authorized the County to enter into a fifth amendment to the Initial Agreement to amend the payment Milestone in Item 10 of Schedule “C” of the Agreement for certain fixed network equipment (“FNE”) for the Sun Valley site and the Montrose VA site (the “Fifth Amendment”). On May 20, 2020, the County and Motorola executed the Fifth Amendment.

Pursuant to a Resolution approved on June 12, 2020, your Honorable Board authorized the County to enter into a sixth amendment to the Initial Agreement to authorize the commencement of Work at the Additional SEQRA Site location known as the Hardscrabble Road site (the “Sixth Amendment”). On June 17, 2020, the County and Motorola executed the Sixth Amendment.

Pursuant to a Resolution approved on December 10, 2020, your Honorable Board authorized the County to amend the Initial Agreement to: (1) approve Change Order Nos. 14-16; (2) authorize the commencement of Work at the Additional SEQRA Site location known as the Guard Hill site, (3) increase the not to exceed amount for Stages 1 and 2 by \$1,582,673.00 for a new total not to exceed for Stages 1 and 2 of \$45,586,998.11, and (4) approve Northeastern Communications, Inc. as an additional subcontractor (the “Seventh Amendment”). On December 15, 2020, the County and Motorola executed the Seventh Amendment.

Pursuant to a Resolution approved on July 2, 2020, your Honorable Board authorized the County to amend the Initial Agreement to authorize the commencement of Work at the Additional SEQRA Site Location known as the WHUD site (the “Eighth Amendment”). On December 31, 2020, the County and Motorola executed the Eighth Amendment.

Pursuant to a Resolution approved on April 8, 2021, your Honorable Board authorized the County to enter into a ninth amendment to the Initial Agreement to approve Change Order Nos. 17-23 to the Work for Stages 1 and 2 in the amount not to exceed \$1,009,840.92 bringing the new total not to exceed amount for Stages 1 and 2 to \$46,596,839.03 (the “Ninth Amendment”). On April 22, 2021, the County and Motorola executed the Ninth Amendment.

Pursuant to a Resolution approved on July 29, 2021, your Honorable Board authorized the County to enter into a tenth amendment to the Initial Agreement to, among other things, remove the Montrose VA Site and the Sun Valley Site from Stages 1 and 2 and grant to the County Montrose VA Option and the Sun Valley Option, as set forth therein (the “Tenth Amendment”). On August 26, 2021, the parties entered into the Tenth Amendment.

Pursuant to a Resolution approved on January 26, 2023, your Honorable Board authorized the County to enter into an eleventh amendment to the Initial Agreement to approve Northeast Towers, Inc. as an additional subcontractor (the “Eleventh Amendment”). On February 8, 2023, the parties entered into the Eleventh Amendment.

The Initial Agreement, First Amendment, Second Amendment, Change Order No. 9, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment and Eleventh Amendment are collectively referred to as the “Agreement”.

Authorization is now being requested to amend the Agreement in order to (i) agree to Change Order Nos. 28-52 as set forth below and to the amendment to the Work for Stages 1 and 2 as set forth in Change Order Nos. 28-52, (iii) decrease the not-to-exceed amount for Stages 1 and 2 by \$53,957.17, bringing the new total not to exceed amount for Stages 1 and 2 to \$45,414,870.53, (iv) replace the budget and payment schedule in Schedule “C” of the Agreement with a new Schedule “C”, and (v) approve additional subcontractors to perform work under the Agreement. In addition, authorization is requested to execute Change Order Nos. 28-52 at this time. The Change Orders are the following:

Change Order No.	Description for Change Order and change in Work under the Agreement	Amount
28	Montrose VA & Sun Valley Dr - Corrections and Adjustments to CO27	(\$160,477.78)
29	Park Lane & French Hill - Corrections to CO13	(\$26,138.02)
30	Uncommitted Balance - Remove from NTE	(\$31,132.23)
31	Grasslands & Courthouse - HVAC Removal from Project	(\$28,736.71)
32	Three CATPs - Removal from Project	(\$455,914.09)
33	Mt. Lakes & Dunwoodie - Beacon System Credit	(\$13,188.06)
34	Putnam Valley Work - Removal From Project	(\$159,130.95)
35	Backup Consoles Discontinued - Removal From Project	(\$69,454.32)
36	Mohansic & Winged Foot - CO 20 & 24 Corrections	\$0.00
37	Warehouse - CO #18 Cost Reduction	(\$17,772.50)
38	Five Sites - Door Access Card Circuit Installation	\$29,482.00
39	WHUD - Microwave Licensing and Relocation	\$30,423.00
40	Guard Hill - Telco Relocation	\$10,800.00
41	Winged Foot - Temporary Paging Installation	\$26,000.00
42	Fox Lane - Structural Analysis	\$57,647.00
43	Montrose Station Road - Site Design	\$164,664.00
44	Four Microwave Links – Pathwalks	\$85,324.55
45	North & South - Freq. Analysis & South - Paging Ch Activation & Power Increases	\$172,714.56
46	Multiple Sites - Load Bank Scope	\$234,987.00
47	WHUD - Slope Stability	\$24,611.00
48	MSR-WHUD Microwave Pathwalk & Site Surveys	\$31,688.28
49	Winged Foot - Clarification of Scope	\$0.00
50	Two Sites - Load Bank Relocation	\$0.00
51	Mt. Lakes - Tower Removal	\$0.00
52	Sun Valley Dr - Survey & A&E Design	\$39,646.10
	Total change in Contract Price for Change Orders 28-52	(\$53,957.17)
	New Total Not to Exceed in Twelfth Amendment	\$45,414,870.53

The proposed amendment will be tracked and monitored by the staff of the Department of Information Technology.

Except as modified herein, all terms and conditions of the Agreement shall remain in full force and effect.

Accordingly, the attached resolution is submitted for your consideration.

MB/ran

Attachment

RESOLUTION

Upon a communication from the Chief Information Officer of the Department of Information Technology, be it hereby

RESOLVED, that the County of Westchester (the “County”) is authorized to amend the Agreement with Motorola Solutions, Inc., dated December 27, 2018, for the replacement, expansion and evolution of the County’s first responder and transit (Bee Line Bus) Voice Radio Communications Systems, as amended, (the “Agreement”) to (i) agree to Change Order Nos. 28-52 as set forth below and to the amendment to the Work for Stages 1 and 2 as set forth in Change Order Nos. 28–52; (ii) decrease the not to exceed amount for Stages 1 and 2 by \$53,957.17, bringing the new total not to exceed amount for Stages 1 and 2 to \$45,414,870.53; and (iii) replace the budget and payment schedule in Schedule “C” of the Agreement with a new Schedule “C” which is consistent with the Change Orders approved herein; and be it further

RESOLVED, that the County is authorized to execute Change Orders Nos. 28-52 as follows:

Change Order No.	Description for Change Order and change in Work under the Agreement	Amount
28	Montrose VA & Sun Valley Dr - Corrections and Adjustments to CO27	(\$160,477.78)
29	Park Lane & French Hill - Corrections to CO13	(\$26,138.02)
30	Uncommitted Balance - Remove from NTE	(\$31,132.23)
31	Grasslands & Courthouse - HVAC Removal from Project	(\$28,736.71)
32	Three CATPs - Removal from Project	(\$455,914.09)
33	Mt. Lakes & Dunwoodie - Beacon System Credit	(\$13,188.06)
34	Putnam Valley Work - Removal From Project	(\$159,130.95)
35	Backup Consoles Discontinued - Removal From Project	(\$69,454.32)
36	Mohansic & Winged Foot - CO 20 & 24 Corrections	\$0.00
37	Warehouse - CO #18 Cost Reduction	(\$17,772.50)
38	Five Sites - Door Access Card Circuit Installation	\$29,482.00
39	WHUD - Microwave Licensing and Relocation	\$30,423.00
40	Guard Hill - Telco Relocation	\$10,800.00
41	Winged Foot - Temporary Paging Installation	\$26,000.00
42	Fox Lane - Structural Analysis	\$57,647.00
43	Montrose Station Road - Site Design	\$164,664.00
44	Four Microwave Links – Pathwalks	\$85,324.55
45	North & South - Freq. Analysis & South - Paging Ch Activation & Power Increases	\$172,714.56
46	Multiple Sites - Load Bank Scope	\$234,987.00
47	WHUD - Slope Stability	\$24,611.00
48	MSR-WHUD Microwave Pathwalk & Site Surveys	\$31,688.28
49	Winged Foot - Clarification of Scope	\$0.00
50	Two Sites - Load Bank Relocation	\$0.00
51	Mt. Lakes - Tower Removal	\$0.00
52	Sun Valley Dr - Survey & A&E Design	\$39,646.10
	Total change in Contract Price for Change Orders 28-52	(\$53,957.17)
	New Total Not to Exceed in Twelfth Amendment	\$45,414,870.53

; and be it further

RESOLVED, that the County is hereby authorized to amend the Agreement to approve the following additional subcontractors to provide the following named purposes in connection with Agreement:

ANS Advanced Network Services LLC 12 Elmwood Road Menands, NY 12204	AC and DC Power Services
Cellectric Electrical LLC 6615 Towpath Rd. East Syracuse NY 13057	Electrical, Grounding and Civil Work
Cummins Inc. 500 Jackson Street Mail Code 91676 Columbus IN 47201-6258	Generator Installation and Servicing
Piercon Solutions LLC 63 Beaverbrook Rd Lincoln Park NJ 07035	RF Interference Analysis
The Smedley Company 20 Thompson Road. #2 Branford CT 06405	Cranes & Rigging
Simplex, Inc. 5300 Rising Moon Road Springfield IL 62711-6228	Load Bank Equipment Supplier and Services
TX RX Systems, Inc. 8625 Industrial Parkway Angola NY 14006	Equipment Manufacturer - Antennas - Combiners - Receiver Multicouplers
Unimar Inc 3195 Vickery Road North Syracuse NY 13212	Tower Lighting Systems
VFP Inc. 5410 Fallowater Lane Roanoke VA 24018	Shelter Manufacturer
Let's Think Wireless, LLC. 26 Chapin Road, Suite 1112 Lane Pine Brook, NJ 07058	Microwave Solutions and Services

RESOLVED, except as modified herein, that all other terms and conditions of the Agreement shall remain the same and in full force and effect; 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.

Agreement Number: IT-1559
 Original Agreement: \$ 43,206,251.00
 First Amendment: \$ 0.00
 Second Amendment: \$ 608,890.90
 Third Amendment: \$ 0.00
 Fourth Amendment: \$ 189,183.21
 Fifth Amendment: \$ 0.00
 Sixth Amendment: \$ 0.00
 Seventh Amendment \$ 1,582,673.00
 Eighth Amendment: \$ 0.00
 Ninth Amendment \$ 1,009,840.92
 Tenth Amendment \$ (1,128,011.38)
 Eleventh Amendment \$ 0.00
This Amendment \$ (\$53,957.17)
 TOTAL \$ 45,414,870.53

Account to be Charged / Credited	Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account or Bond Act	Dollars
	2024	316	16	BIT3209S	6190	110-2022	(\$53,957.17)

Budget Funding Year(s): 2024 Start Date: Effective Date of the Contract End Date: End Date of the Contract
 (must match resolution)

Funding Source Tax Dollars: 100%
 State Aid: NA
(\$53,957.17) Federal Aid: NA
 (must match resolution) Other: NA