

101113

DATE: May 5, 2023

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne
Chief Information Officer
Department of Information and Technology

SUBJECT: Request authority for the County of Westchester to enter into an agreement with The Spectrum Firm, Inc. to provide FCC radio frequency licensing services for multiple transmitter locations in UHF and VHF bands, for a term of four years commencing upon execution, for a not to exceed amount of \$20,000.00, pursuant to an approved budget (IT-1780) and for approval of Fox Ridge Communications, Inc. as a sub-consultant.

Authority is respectfully requested from your Honorable Board for the County of Westchester (the "County"), acting by and through its Department of Information Technology ("Department" or "DoIT") to enter into an agreement (the "Agreement") with The Spectrum Firm, Inc. ("TSF"), pursuant to which TSF will provide Federal Communications Commission ("FCC") radio frequency licensing services for multiple transmitter locations in the Ultra-High Frequency ("UHF") and Very-High-Frequency ("VHF") bands, for a term of four (4) years, commencing upon execution of the Agreement by both parties, for a total amount not to exceed \$20,000.00, payable at the rate of \$180.00 per hour (\$250.00 for in depth regulatory consultation services).

As a way of background, DoIT continues its efforts to build an effective radio communication system for use by the Departments of Emergency Services, Public Safety, Public Works and Transportation. Contract IT-942 with TSF ("2008 Agreement") for radio frequency licensing consulting services, which was approved by your Honorable Board, expired on December 31, 2022.

Under the proposed Agreement, TSF will provide consulting services related to FCC licensing tasks for multiple transmitter locations in the UHF and VHF bands, technical studies of proposed and/or incumbent licensed radio systems as required for FCC certified frequency coordination and FCC licensing, as requested by the County, and consultation and advice relating to the interpretation of FCC rules and regulations and the licensing of VHF and UHF frequencies, on an ongoing and as as-needed basis.

Under the proposed Agreement, TSF seeks to collaborate with Fox Ridge Communications, Inc. ("Fox Ridge"), having a place of business at 122 Baltimore Street, Suite

200, Gettysburg, Pennsylvania 17325, in the performance of FCC licensing tasks, as a subconsultant. Accordingly, authority is also requested from your Honorable Board to approve Fox Ridge, who was also an authorized subconsultant under the 2008 Agreement, as a subconsultant under the proposed Agreement.

The proposed Agreement will serve a public purpose as the specialized knowledge and expertise of TSF will ensure the County's proper handling of various FCC licensing tasks in order to efficiently expand and improve the County's existing UHF T-Band trunked radio system and the UHF paging system, thus promoting the safety and general welfare of County residents in the event of an emergency through efficient emergency communications.

The goal and objective of the proposed Agreement is to provide the County with the specialized knowledge and expertise necessary to ensure the County's proper handling of FCC licensing tasks, which ultimately will promote the safety and general welfare of County residents.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of fiscal responsibility, since expanding and promoting the County's existing UHF T-Band trunked radio system and the UHF paging system will ultimately protect the financial interests of the County.

The goal and objective of the proposed Agreement will be tracked and monitored by the Department.

In accordance with the Westchester County Procurement Policy, on January 20, 2023, the County solicited three verbal quotes from the following consultants: (i) Fox Ridge; (ii) V-Comm., LLC; and (iii) TSF. After careful evaluation of the quotes, the County has determined that the TSF proposal was the least expensive proposal. In addition, TSF has performed satisfactorily under the 2008 Agreement for the aforementioned services. As such, the Agreement is in the best interest of the County.

I respectfully recommend the adoption of the attached resolution.

MB/cmc

RESOLUTION

Upon a communication from the Chief Information Officer, be it hereby:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement (the "Agreement") with The Spectrum Firm, Inc. ("TSF"), for Federal Communications Commission ("FCC") radio frequency licensing services for multiple transmitter locations in the Ultra-High Frequency ("UHF") and Very-High-Frequency ("VHF") bands, for a term of four (4) years, commencing upon execution of the Agreement by both parties, for a total amount not to exceed \$20,000.00, payable at a rate of \$180.00 per hour (\$250.00 for in depth regulatory consultation services); and be it further

RESOLVED, that the following subconsultant is approved for this Agreement:

Fox Ridge Communications, Inc.
122 Baltimore Street, Suite 200
Gettysburg, Pennsylvania 17325

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 TSF, then TSF 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.

Agreement No. IT-1780

Account to be
Charged/Credited

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2023	101	16	2500	4420		\$11,450.00
2024	101	16	2500	4420		\$2,442.86
2025	101	16	2500	4420		\$2,442.86

2026	101	16	2500	4420		\$2,442.86
2027	101	16	2500	4420		\$1,221.42

Budget Funding Year(s): 2023-2027 Start Date: Upon Execution End Date: Four (4) years later

Funding Source Tax Dollars: \$20,000.00
State Aid: _____
\$20,000.00 Federal Aid: _____
(must match resolution) Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/01/2023 - RAYMOND SCULKY, SECRETARY