

**11567**

DATE: November 3, 2010

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne, Chief Information Officer

RE: AUTHORIZATION TO ENTER INTO AN AGREEMENT (IT-1168) WITH IRON MOUNTAIN, INC. FOR THE PROVISION OF SECURED ENVIRONMENTALLY CONTROLLED UNDERGROUND RECORDS STORAGE SERVICES FOR THE COUNTY'S RECORDS AND ARCHIVES CENTER FOR A FIVE YEAR PERIOD COMMENCING ON MAY 1, 2010 AND TERMINATING ON APRIL 30, 2015 FOR A TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$64,072.00

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BACKGROUND:

- In resolutions approved on June 2, 2005 and August 6, 2009, your Honorable Board authorized entering into an agreement, as well as an amendment, with Iron Mountain, Inc., for the provision of secured underground environmentally controlled storage area services, for the Department of Information Technology (DoIT) Records and Archives Center, for a five-year period commencing on May 1, 2005 and terminating on April 30, 2010, for a total not to exceed amount of \$53,234. The contract (IT-715) authorized in these resolutions was subsequently executed and approved.
- The microfilm stored at Iron Mountain serves as the sole off-site backup for all land documents recorded by the Office of the County Clerk. In addition to storage, the terms of the agreement provide other services requested by the County, such as duplication and periodic verification of quality.
- Underground storage continues to be the best means of meeting all the County's storage criteria for temperature, humidity, fire protection and turnaround time. Iron Mountain is the only competent underground storage company east of the Mississippi and we have been extremely pleased with their services in the past. For these reasons, we would like to enter into a new agreement (IT-1168) with Iron Mountain for another five year period. The reasons why Iron Mountain should continue to be the County's off-site records storage site remain the same and include cost, as well as hazards associated with transport and location:
  - The cost to remove and transport the boxes of microfilm to Elmsford from Pennsylvania (where they are currently stored) would outweigh the cost of keeping records in this facility. This is due to the fact that there is a cost built into the contract, which is quite substantial, stipulating a charge for each box taken out of storage. The cost of removing the County's boxes would equal approximately six years' worth of underground storage contracts.
  - It would not be prudent of the County to expose the records to the hazard and liability of transport should the records be moved. A majority of the microfilm stored at Iron

Mountain is the County's only existing backup, making it more rational to transport as little as possible.

- Our experience in underground storage facilities has proven that it is very difficult (impossible) to find storage this secure at a reasonable price. Iron Mountain owns every underground storage facility east of the Mississippi.
- The public purpose for the requested contract is that it will ensure off-site, secure storage of critical public records requiring long-term retention and access. The microfilm produced in-house by the Archives' Scanning Unit supports several workflows whereby the image files are produced for access, but the microfilm "eye-legible" record is actually the "copy of record," produced in accord with the New York State Office of Court Administration Standards and acceptable as a true and original document for legal purposes. Some of these records are "born digital." But, paper files that are the subject of this imaging workflow, once incorporated, may be disposed of or returned to the original filing agent.
- DoIT has developed a database tracking program whereby Archives personnel may recall random microfilm rolls from Iron Mountain annually and re-examine them as to their quality and image resolution, thereby assuring the County of the success of this effort over time.
- The production of Computer Output Microfilm (COM) and its secure storage at Iron Mountain, Inc.'s facility in western Pennsylvania is considered "best practice" in the preservation of records important to the health, safety and general welfare of Westchester County's residents. Microfilm is still the only technology that can boast of good image reproduction over 100 years' time; computer images are dependent on many factors for ensuring their security and complete migration to the next levels of hardware and software.
- The ability to support the safe retention of and access to large volumes of critical data over many years is more cost-efficient and environmentally sound than storage of thousands of cubic feet of paper records in County-owned warehouses.
- The goals of this contract are to:
  - Ensure that best practices in records management are followed with respect to records retention and access, as the County expands its imaging workflows for critically important public records.
  - Promote the use of improved imaging technologies that are cost-effective and environmentally sensitive, while at the same time ensuring the proper retention of and future access to, critically important public records.
  - Ensure that excellent off-site storage is provided to the County's microfilm backup program, which supports the restoration of imaged files of critically important public records.
- The objectives of this contract are:
  - Continued support of the County Clerk's Land Records workflow for imaging and microfilm production in effect since 1998. All imaged files are quality controlled and COM is produced in-house using FujiFilm's Document Archive System AR-1000. Once developed, these rolls are quality controlled and then shipped to Iron Mountain's facility for secure storage and retrieval, if required. Based on statistics from the past 3 years, approximately 95 rolls of microfilm are added to this collection annually. Per New York State's Records Retention and Disposition Schedule CO-2, which is followed by Westchester County, all land records require permanent retention.

- Support the Health Department's workflow for imaging its Children with Special Needs vendor records by using the same process for producing COM as with the County Clerk's Land Records. Per the aforementioned CO-2 schedule, early intervention program records must be retained three years after the child attains age 18. These records may be reviewed by three separate auditing agencies: NYS Dept. of Education, NYS Comptroller's Office and the County's independent auditors. This program has grown exponentially since its inception; the County Archives' Scanning Unit now images 3-4 cubic feet of vendor documents weekly. In 2010 to date, 44 rolls of microfilm have been produced to support these imaged records.
  - Support the Finance Department's need for backup to Employee Payroll image files by producing COM, using the same methodology as outlined above. Per CO-2 requirements, these records must be maintained for 55 years.
  - Initiate the County Clerk's production of COM for certain records from the Legal Division, thereby permitting the destruction of the paper originals and improving the management of warehouse space.
  - Begin to support the Contracts Management workflow, used by all County departments, by producing COM, using the same methodology as outlined above.
- The microfilm backup program represented by the Iron Mountain, Inc. contract meets the Performance Based Management's three super measures for the County with respect to fiscal responsibility, safety & security of our residents & improvement to the County's environment as follows:
    - By eliminating the required storage of paper records as backup to the County's image files, cost savings are achieved with respect to warehouse storage and retrieval of records.
    - These particular records are critical to the financial security of the County's land owners, the health of its children with special needs, the County employees' future financial benefits and the support of the County's procurement system.
    - By shredding the paper records no longer required to back up image files, the County meets some of its recycling targets and reduces its carbon footprint (less paper, less warehouse storage).
  - If the County was to embark on using new imaging technologies for improved access to these particular records and did not produce and store microfilm backup as additional long-term backup, the County might incur legal and financial exposure if these image files could not be retrieved in 20, 30, 40 or 55 years' time. If imaged records of such import were lost and could not be restored through re-imaging the paper or converting microfilm to new images, the consequences could be real and costly. Not only would the subject of the records be lost and have potentially damaging results for land owners, children with special needs, County employees, or the County procurement systems, but also the legal cases that might ensue could be very costly to Westchester's taxpayers.
  - Authorization for the provision of secured underground environmentally controlled storage area services for DoIT's Records and Archives Center, is exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3 (a) xxi thereof because, by Resolution recently approved, your Honorable Board determined that it was not in the best interest of the County to apply the procedural requirements of the Procurement Policy in connection with the procurement of underground records storage services from Iron Mountain, Inc. by exempting the procurement of underground records storage services for the County's Archives and Records Center with Iron Mountain from the procurement policy.

ACTION REQUESTED

- Authorization to enter into an agreement (IT-1168) with Iron Mountain, Inc., having an office located at 1137 Branchton Road, Boyers, Pennsylvania 16020, for the provision of secured underground environmentally controlled storage area services for the Department of Information Technology Records and Archives Center, for a five year period commencing on May 1, 2010 and terminating on April 30, 2015 for a total not to exceed contract amount of \$64,072, payable quarterly pursuant to an approved schedule of fees, subject to County appropriations.

Accordingly, the attached resolution is submitted for your consideration.

APPROVED BOARD OF ACQUISITION & CONTRACT - 11-18-2010 - JOMARY VIEIRA, SECRETARY

## 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 (IT-1168) with Iron Mountain, Inc., having an office located at 1137 Branchton Road, Boyers, Pennsylvania 16020, for the provision of secured underground environmentally controlled storage area services, for the Department of Information Technology Records and Archives Center, for a five year period commencing on May 1, 2010 and terminating on April 30, 2015, for a total not to exceed contract amount of \$64,072, payable quarterly pursuant to an approved schedule of fees; 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.

## RESOLUTION

Account to be Charged/Credited:  
Contract No. IT-1168

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2010	101	16	5000	4420		\$12,080
2011	101	16	5000	4420		\$12,428
2012	101	16	5000	4420		\$12,800
2013	101	16	5000	4420		\$13,184
2014	101	16	5000	4420		\$13,580

Budget Funding Year(s): 2010 - 2015

Start Date: May 1, 2010

End Date: April 30, 2015

Funding Source: Tax Dollars: \$64,072

State Aid \_\_\_\_\_

\$64,072  
(must match resolution)

Federal Aid \_\_\_\_\_

Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 11-18-2010 - JOMARY VIEIRA, SECRETARY