

22669

Date: October 26, 2011

To: Honorable Members of the Board of Acquisition and Contract

From: Marguerite Beirne  
Chief Information Officer

Re: AUTHORIZATION TO ENTER INTO CONTRACT IT-1214 WITH ORACLE AMERICA, INC. FOR ONE YEAR OF ON-SITE TECHNICAL AND DATABASE AND APPLICATION SERVER ADMINISTRATION SUPPORT SERVICES FOR VARIOUS ORACLE-BASED SOFTWARE APPLICATIONS, COMMENCING ON NOVEMBER 1, 2011 AND TERMINATING ON OCTOBER 31, 2012, FOR AN AMOUNT NOT-TO EXCEED \$315,000

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BACKGROUND:

- Oracle databases and application servers are the foundation for many computer systems in the County. The County has deployed Oracle database and application server software on more than 100 servers, including those for the Departments of Finance, Budget, and Human Resources, as well as numerous other enterprise-level systems that run the Oracle database or application server software.
- In support of these databases and application servers, the County retains consultants from Oracle in various capacities to support various Oracle database management and application server software products. Oracle consultants are familiar with Oracle tools and products, and have access to Oracle Internal Engineering with the knowledge of proprietary information (including source code) of the company. They also help County staff apply industry best practices.
- This on-site technical and support services contract will address the database needs of the County, delivering technical resources primarily tasked to identify ways to ensure the optimal performance and stability of Oracle systems; address existing technical issues via the Internal Engineering access; and assist DoIT staff with the deployment of new Oracle products. In addition, this contract will include responsibility for deploying and maintaining the County's application servers.
- It continues to be important to maintain the integrity of the County's critical Oracle-based applications. Therefore, we now come before your Honorable Board requesting approval to enter into Contract IT-1214 (the "Agreement") with Oracle America, Inc. for one year of on-site technical and database and application server administration support services, commencing on November 1, 2011 and terminating on October 31, 2012, for an amount not-to-exceed \$315,000, pursuant to an approved budget and payable monthly as services are provided as required by New York State Office of General Services ("NYS OGS") Contract Number PT64000 (as described below), subject to County appropriations.

- The proposed Agreement is exempt from the County Procurement Policy pursuant to Section 3(a)(i) thereof, as the County is making this procurement through Oracle America, Inc.'s NYS OGS Contract Number PT64000, pursuant to New York General Municipal Law 104. Please note that the not-to-exceed amount requested for the proposed Agreement in the attached resolution is based upon the rates available through NYS OGS Contract Number PT64000. Please also note that the term of NYS OGS Contract Number PT64000 commenced on June 26, 2008 and will terminate on June 25, 2013.
- The public purpose of the proposed Agreement is to obtain technical services to keep County systems operating efficiently. As stated above, these systems support numerous departmental programs, including the County Financial systems, Emergency Services dispatch, Public Works and Transportation's building maintenance, and Parks' recreational facility scheduling and point of sale functions, among others, all of which benefit the public good.
- The goal and objective of the proposed Agreement is to obtain technical services to keep County systems operating efficiently. The specific goals and objectives to be achieved with those technical services during the term of the proposed Agreement will be established by a committee of DoIT professionals who discuss various projects that require the specialized knowledge that Oracle America, Inc. can provide.
- The goals and objectives of the proposed Agreement are in the best interests of the County in terms of fiscal responsibility, as obtaining these services through NYS OGS Contract Number PT64000 likely represents a cost savings over independent procurement, and obtaining these services from Oracle America, Inc. will provide valuable Internal Engineering access and avoid unexpected additional costs and problems that might be associated with assistance provided by an entity that does not have the top experts in Oracle systems.
- The goals and objectives of the proposed Agreement will be tracked and monitored by various assigned DoIT staff members, with progress measured based upon the aforementioned committee's discussions and establishment of priorities and schedules. The assigned DoIT staff members will review monthly progress reports and indicate their approval prior to payments being authorized to Oracle.

ACTION REQUESTED:

- Authorization to enter into Contract IT-1214 with Oracle America, Inc., having a place of business located at 1910 Oracle Way, Reston, Virginia 20190, for one year of on-site technical and database and application server administration support services for various Oracle-based software applications, commencing on November 1, 2011 and terminating on October 31, 2012, for an amount not-to-exceed \$315,000, pursuant to an approved budget and payable monthly as services are provided as required by NYS OGS Contract Number PT64000, subject to County appropriations.

A resolution authorizing the aforementioned agreement is submitted herewith for your consideration.

MCB/RJL/bdm/nn

## 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 Contract IT-1214 (the "Agreement") with Oracle America, Inc., having a place of business located at 1910 Oracle Way, Reston, Virginia 20190, for one year of on-site technical and database and application server administration support services for various Oracle-based software applications, commencing on November 1, 2011 and terminating on October 31, 2012, for an amount not-to-exceed \$315,000, pursuant to an approved budget and payable monthly as services are provided as required by New York State Office of General Services Contract Number PT64000; 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 Consultant, then the Consultant 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 and empowered to execute any and all documents necessary and appropriate to effectuate the purpose hereof.

Agreement: **IT-1214**

Account to be Charged/Credited:

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2011	101	16	6000	4420		\$ 52,500
2012	101	16	6000	4420		\$262,500

Budget Funding Year(s): 2011 & 2012

Start Date: November 1, 2011

End Date: October 31, 2012

(must match resolution)

Funding Source

Tax Dollars: \$315,000

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

**\$315,000**

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

(must match resolution)

Other: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/17/2011 - JUMARY VEIRA SECRETARY