

24636

Date: January 31, 2012

To: Honorable Members of the Board of Acquisition and Contract

From: Robert F. Meehan  
County Attorney

Marguerite Beirne  
Chief Information Officer

Re: Authority for the County of Westchester to amend an agreement with Computer Sciences Corporation for software maintenance for the County's "RiskMaster" risk management software system in order to extend the term of the agreement by an additional two (2) years for an additional \$55,821.72

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In 1998, the County entered into an agreement with Dorn Technology Group, Inc. ("Dorn Technology") for the licensing, installation and support of a "RiskMaster" risk management software system. Included in the agreement was the provision of software maintenance services for one year, to commence upon completion of the warranty period. This initial software maintenance period ended in 2000. Since that time, the County has periodically renewed the agreement in order to receive continued software maintenance.

Notably, during the course of the maintenance agreement, Dorn Technology changed its name to Mynd Corporation. Subsequently, Computer Sciences Corporation ("CSC") acquired Mynd Corporation and all of its assets. Accordingly, the maintenance agreement is currently between the County and CSC.

The most recent renewal of the maintenance agreement was authorized by your Honorable Board by a resolution approved on February 18, 2010. That resolution authorized the County to renew and extend the term maintenance agreement with CSC for an additional two (2) years, to a new termination date of March 13, 2012, for a total cost of \$51,616.50. The authorized amendment was subsequently executed.

CSC has continued to satisfactorily provide the required software maintenance services to the County pursuant to this agreement. Accordingly, the County now respectfully requests that your Honorable Board authorize the County to amend the maintenance agreement with CSC in

order to extend the term thereof by an additional two (2) years, to a new termination date of March 13, 2014, for a total cost of \$55,821.72, payable to CSC in the following annual fee amounts:

Year 1: \$27,498.34  
Year 2: \$28,323.38

Since the RiskMaster software is proprietary to CSC, they are the only ones who can provide maintenance. Accordingly, we recommend that this procurement be classified as a sole source procurement pursuant to Section 9 of the Westchester County Procurement Policy.

The proposed amendment will serve a public purpose by enabling the Office of Risk Management to maintain its risk management software system.

The goal and objective of the proposed amendment is to ensure that the Office of Risk Management's RiskMaster software functions as required.

The goal and objective of the proposed amendment is in the best interests of the County in terms of fiscal responsibility and safety and security, as it will enable to Office of Risk Management to maintain its risk management software system and thereby provide required risk management functions for the County.

The goal and objective of the proposed amendment will be monitored by the staff of the Office of Risk Management.

Approval of the attached resolution by your Honorable Board is respectfully requested.

RFM/MCB/AJD/bdm/mn

## RESOLUTION

Upon a communication from the County Attorney and the Chief Information Officer, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to amend an agreement with Computer Sciences Corporation ("CSC"), pursuant to which CSC provides software maintenance for the County's risk management software system, in order to extend the term thereof by an additional two (2) years, to a new termination date of March 13, 2014, for a total cost of \$55,821.72, payable to CSC in the following annual fee amounts:

Year 1: \$27,498.34

Year 2: \$28,323.38

; and be it further

**RESOLVED**, that pursuant to Section 9 of the Westchester County Procurement Policy, this procurement is deemed a sole source procurement; 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 authorized designee is hereby authorized to execute all instruments and take all actions necessary to implement this Resolution.

Account to be Charged/credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
615	59	0692/3640	4420/01		\$27,498.34 2012
615	59	0693/3740	4420/01		\$28,323.38 2013

Budget Funding Year(s) 2012-2013 Start Date 3/14/2012 End Date 3/13/2014  
(must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
State Aid \_\_\_\_\_  
Federal Aid \_\_\_\_\_  
Other 6N \_\_\_\_\_  
\$ 55,821.72  
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/01/2012 - SUMMARY VIEW SECRETARY