



Office of the District Attorney
County of Westchester

MEMORANDUM

25123

March 19, 2012

To: The Honorable Board of Acquisition and Contract

From: Janet DiFiore, District Attorney

Re: **Resolution authorizing the County of Westchester, acting by and through its District Attorney's Office, to enter into an agreement with LexisNexis, a Reed Elsevier Inc. business, for the provision of computer-assisted research services for a three (3) year period commencing March 1, 2012 and terminating February 28, 2015, for a total amount not-to-exceed Four Thousand Two Hundred Eighty-Four Dollars (\$4,284.00), subject to County appropriation**

Transmitted herewith is a resolution which, if approved by your Honorable Board, will authorize the County of Westchester (the "County"), acting by and through its District Attorney's Office (the "Office") to enter into a Subscriber Agreement (the "Agreement") with Lexis Nexis, a Reed Elsevier business ("Lexis Nexis"), for the provision of on-line computer assisted general research services for the Office's Communications Division, for a three (3) year period commencing March 1, 2012 and terminating February 28, 2015. In consideration for services rendered, the County will pay Lexis Nexis a flat rate of One Hundred Nineteen (\$119.00) Dollars per month, not to exceed Four Thousand Two Hundred Eighty Four (\$4,284.00) Dollars for the term of this agreement, subject to County appropriation.

Authority to exempt this Agreement from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof has been granted by your Honorable Board in accordance with a separate resolution of even date herewith.

The services provided pursuant to this Agreement will serve a public purpose by allowing access, from one vendor, to news and archived news items. This, along with the cost savings, compels this Office to purchase this important service from Lexis. It is imperative to ensure that the legal staff of the District Attorney's Office has access to the most up-to-date information regarding news and archived news items. It is integral for a staff of Assistant District Attorneys in today's electronic era to have access to these materials in order to fulfill their professional responsibilities and thereby properly protect the rights and safety of the taxpayers of Westchester County.

The goals and objectives of this proposed Agreement are to provide access to comprehensive and current news and archived news items, in electronic formats. This information includes, without limitation, all news sources. Said access will be provided to one (1) user in the Communications Division. The goals and objectives will be tracked and monitored through the Communications Unit on a daily basis, as this Unit must access news every day.

The goals and objectives are in the best interest of the County in terms of fiscal responsibility because, for the District Attorney's needs, it is cost effective to use Lexis Nexis when compared to its

competitor, West, which does not have all the news components needed by the District Attorney's Office. The flat rate allows the District Attorney's Office to access all news sites, including archived news items. It is imperative for this resolution to be approved to ensure that the communications staff of the District Attorney's Office has access to the most up-to-date information regarding current news.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

JD/ac

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2012 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from Janet DiFiore, District Attorney, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its District Attorney's Office be, and hereby is, authorized to enter into a Subscriber Agreement with Lexis Nexis, a Reed Elsevier business, for the provision of computer assisted general research services, for a three (3) year period, commencing March 1, 2012 and terminating February 28, 2015, payable at a flat rate of One Hundred Nineteen (\$119.00) Dollars per month, not-to-exceed Four Thousand Two Hundred Eighty- Four Dollars (\$4,284.00) for the term of this Agreement; 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 be hereby authorized and empowered to execute any and all instruments necessary and proper to accomplish the purposes of this Resolution.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2012	101	37	0010	4420		\$1190.00
2013	101	37	0010	4420		\$1428.00
2014	101	37	0010	4420		\$1428.00
2015	101	37	0010	4420		\$ 238.00

Budget Funding Year(s) Start Date: 3/1/2012
 End Date: 2/28/2015
 (must match resolution)

Funding Source Tax Dollars \$4,284.00
 State Aid _____
\$4,284.00 Federal Aid _____
 (must match resolution) Other _____