

30197

Date: November 1, 2012

To: Honorable Board of Acquisition and Contract

From: Ann Marie Berg
Commissioner of Finance

John B. McCaffrey
Chief Information Officer

Re: Authorization for the County of Westchester to enter into agreements to obtain credit card services through New York State Contract PS65792 with Key Merchant Services, LLC for an Electronic Value Transfer Program for the acceptance and processing of the four nationally recognized credit/charge cards and New York State Contract PS65669 with American Express Travel Related Services Company, Inc. for authorization, capture, settlement and reporting services for American Express credit cards through the Electronic Value Transfer Program

New York State has entered into a new Electronic Value Transfer (“EVT”) Program contract with Key Merchant Services, LLC (“KMS”). This contract provides Financial Services Processing, including hardware, to enable State Agencies, political subdivisions and others authorized by law to accept the four nationally recognized credit cards (Visa, MasterCard, American Express and Discover) as well as Debit Cards. The County currently uses the New York State EVT program with Global Payments Inc., however, all State Agencies, political subdivisions and others authorized by law currently using the New York State EVT program contract with Global Payments, Inc. will need to transition to the KMS contract no later than December 31, 2012 in order to continue using the EVT program. Accordingly, attached for your consideration is a Resolution authorizing the County to obtain credit card processing services pursuant to New York State Contract PS65792, which is an agreement with Key Merchant Services, LLC for an EVT Program to include Financial Services Processing of the four nationally recognized credit/charge cards (MasterCard, Visa, Discover and American Express), Payment Gateway Services, Transaction Interfaces and related services. Pricing will be as set forth in Contract PS65792. The term of the contract shall commence on the date the work order form is approved in writing by the contractor and shall continue until August 2, 2017

with an option on the part of the State to renew for one five (5) year term. The combined annual equipment rental, transactional, and services fees associated with New York State Contract PS65792 will be an amount not to exceed Three Hundred Twenty Five Thousand (\$325,000) Dollars and will be charged to the respective user departments' revenue or expense accounts, where appropriate. Payment shall be subject to appropriations. The County shall have the right to cancel the contract on thirty (30) days written notice for cause and sixty (60) days written notice for convenience.

The attached resolution also authorizes the County to accept American Express credit card services pursuant to New York State Contract 65669. American Express is a sole-source provider of American Express authorization, capture, settlement and reporting services. In order for the County to accept American Express cards through the EVT program the County must enter into New York State Contract PS65669 with American Express Travel Related Services Company, Inc. The American Express discount rate is 2.1% for all credit card transactions and 1.65% for prepaid card transactions and is subject to change as provided for in the contract on sixty days written notice. The annual service fees associated with New York State Contract PS65669 will be an amount not to exceed One Hundred Twenty Five Thousand (\$125,000) Dollars, and will be charged to the respective user departments' revenue or expense accounts, where appropriate. Payment shall be subject to appropriations. The term shall commence on the date the work order form is approved in writing by the contractor and shall continue until November 30, 2016 with an option on the part of the State to renew for one five (5) year term. The County shall have the right to cancel the contract on thirty (30) days written notice for cause and sixty (60) days written notice for convenience.

Attached hereto as Schedule "A" is a list of the County locations where credit cards are currently accepted. Credit cards may be accepted at other County locations with the approval of the Commissioner of Finance, subject to appropriation.

By Act No. 8-2002, pursuant to General Municipal Law §5, the Westchester Board of Legislators authorized the County to enter into agreements with the financing agencies or card issuers to provide for the acceptance of credit cards by the County Clerk and the Commissioner of Finance and their designees as means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts including penalties, special assessments and interest owed to the County. Accordingly, if the attached resolution is approved, the County shall obtain credit card services through New York State Contracts PS65792 and PS65669 and rent or purchase equipment thereunder necessary to provide credit card processing services.

These agreements will serve a public purpose by offering the County the opportunity to obtain more favorable discount rates through the New York State contracts thereby reducing the user departments' costs and to accept credit cards over the internet and telephone as well as point of sale.

The goals and objectives of this Agreement are to achieve the aforementioned public purposes. The goals and objectives will be tracked and monitored through the Department of Finance and the County Clerks' Office for their respective accounts.

These agreements are exempt from the County procurement policy under Section 3(a)i because this is a procurement made pursuant to New York State General Municipal Law Section 104.

I recommend that your Honorable Board act favorably on the attached resolution.

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/21/2012 - JONARY VIERA SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Finance and the Chief Information Officer, be it hereby:

RESOLVED, that the County of Westchester is authorized to obtain credit card processing services pursuant to New York State Contract PS65792 with Key Merchant Services, LLC for an Electronic Value Transfer Program to include Financial Services Processing of the four nationally recognized credit/charge cards (MasterCard, Visa, Discover and American Express), Payment Gateway Services, Transaction Interfaces and related services. Pricing will be as set forth in Contract PS65792. The term shall commence on the date the work order form is approved in writing by the contractor and shall continue until August 2, 2017 with an option on the part of the State to renew for one five (5) year term. The combined annual equipment rental, transactional, and services fees associated with New York State Contract PS65792 will be an amount not to exceed Three Hundred Twenty Five Thousand (\$325,000) Dollars and will be charged to the respective user departments' revenue or expense accounts, where appropriate. Payment shall be subject to appropriations. The County shall have the right to cancel the contract on thirty (30) days written notice for cause and sixty (60) days written notice for convenience; and be it further

RESOLVED, that the County of Westchester is authorized to accept American Express credit card services pursuant to New York State Contract PS65669, which is an agreement between New York State and American Express Travel Related Services Company, Inc., for the acceptance of American Express credit cards through the Electronic Value Transfer Program. Pricing will be as set forth in Contract PS65669. The American Express discount rate is 2.1% for all credit card transactions and 1.65% for prepaid card transactions and is subject to change as provided for in the contract on sixty (60) days written notice. The annual service fees associated with New York State Contract PS65669 will be an amount not to exceed One Hundred Twenty Five Thousand (\$125,000) Dollars, and will be charged to the respective user departments' revenue or expense accounts, where appropriate. Payment shall be subject to appropriations. The term shall commence on the date the work order form is approved in writing

by the contractor and shall continue until November 30, 2016 with an option on the part of the State to renew for one five (5) year term. The County shall have the right to cancel the contract on thirty (30) days written notice for cause and sixty (60) days written notice for convenience; and be it further

RESOLVED, that attached hereto as Schedule "A" is a list of the County locations where credit cards are currently accepted. Credit cards may be accepted at other County locations with the approval of the Commissioner of Finance, subject to appropriations; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/21/2012 JOMARY VIEIRA SECRETARY

Account to be
Charged/Credited

* Fund	Dept	Major Program, Program & Phase Or Unit	Revenue	Object	Dollars
1. 165	42	5520 5520	9995		\$110,000.00
2. 165	42	1100 1100	9994		\$220,000.00
3. 101	15	2000 2000	9998		\$ 1,500.00
4. 165	42	7150 7150	9996		\$ 56,000.00
5. 101	12	6010 1000	9122		\$ 2,000.00
6. 101	25	0200 0200	9990		\$ 2,000.00
7. 101	27	0010 2210	9999		\$ 2,000.00
8. 25	60	7800 7810	9670		\$ 500.00
9. 101	21	0300 0340		4070	\$ 56,000.00
				Total	\$450,000.00
* Numbers coincide with Schedule A					

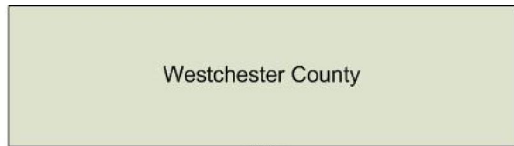
Budget Funding Year(s) 2012-2017 Start Date: _____ Date of Work Order End Date: 8/2/2017
(must match resolution)

Funding Source Tax Dollars \$450,000.
State Aid _____
\$ 450,000.00 Federal Aid _____
(must match resolution) Other _____

Schedule "A"

1. Playland
2. Department of Parks Recreation and Conservation
3. Bureau of Purchase and Supply
4. County Center
5. Department of Human Resources
6. Consumer Protection
7. Department of Health
8. Department of Environmental Facilities
9. County Clerk

APPROVED BOARD OF ACQUISITION & CONTRACTS - 11/21/2012 - JOMARY VIEIRA, SECRETARY



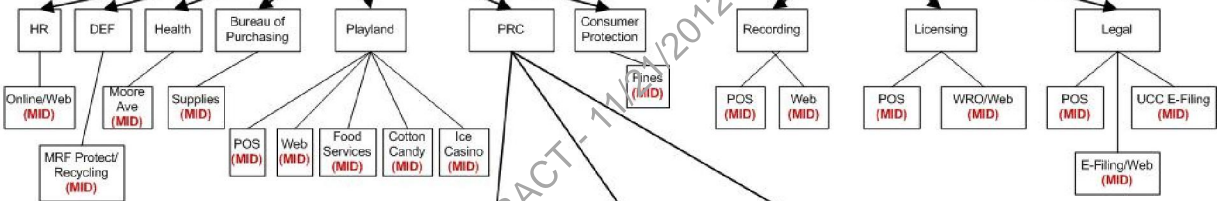
Chain 1

Chain 1



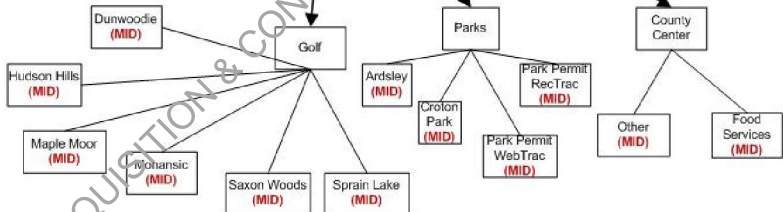
Chain 2

Chain 2



Chain 3

Chain 3



Chain 2

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/14/2012 - JOMARY VIEIRA, SECRETARY