

Robert P. Astorino
County Executive

Office of the County Attorney

Robert F. Meehan
County Attorney

39075

Date: March 18, 2014

To: The Honorable Board of Acquisition and Contract

From: Robert F. Meehan, County Attorney
Department of Law

Re: **Resolution authorizing the County of Westchester (the “County”) to enter into an agreement with RVM Enterprises, Inc., for the provision of electronic-document review services for a one (1) year period commencing on March 19, 2014 and terminating on March 18, 2015, at a total cost to the County not-to-exceed Sixty Thousand (\$60,000.00) Dollars, subject to appropriation.**

Transmitted herewith is a resolution which, if approved by your Honorable Board, will authorize the County of Westchester (the “County”) to enter into an agreement with RVM Enterprises, Inc. (“RVM”), for the provision of electronic-document review services in connection with the lawsuit entitled United States vs. Westchester County regarding County Water District No. 1, for a one (1) year period commencing on March 19, 2014 and terminating on March 18, 2015. For these services, the County will pay RVM a total amount not to exceed Sixty Thousand (\$60,000.00) Dollars, payable pursuant to an approved budget, and subject to County appropriation.

Pursuant to the proposed Agreement, if authorized by your Honorable Board, RVM will provide electronic-document review services for the County. The review will consist of approximately twenty-two thousand (22,000) documents, will contain a second round of review of the documents for privileged matter, the preparation of a privilege log, and data processing.

In compliance with the procurement policy, the Law Department requested written price proposals from three (3) vendors who provide such services. Although RVM’s price proposal was slightly higher than the lowest price proposal, it was determined that RVM’s proposal was more detailed and comprehensive, and includes two (2) review managers, whereas the other quotes did not, which will further ensure quality control, timely and more precise results.

The goals and objectives of this proposed Agreement are for RVM to provide electronic-document review services on behalf of the County. The proposed agreement will serve a public purpose

since the process involved in such a document review is labor intensive, and will negatively affect the ability of the Law Department to operate efficiently. Additionally, the utilization of an outside vendor will allow the County to better meet stringent document production deadlines set by Court order. The performance of this agreement will be tracked and monitored by the Law Department attorneys assigned to the case as well as the Law Department's monthly review and payment of invoices.

Accordingly, I recommend that your Honorable Board approve the attached resolution authorizing the Agreement with RVM for electronic-document review services.

RFM/jpi
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/20/2014 - JOMARY VEIRA, SECRETARY

RESOLUTION

Upon a communication from the County Attorney, be it hereby:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement with RVM Enterprises, Inc., for the provision of electronic-document review services for a one (1) year period commencing on March 19, 2014 and terminating on March 18, 2015, at a total cost to the County not-to-exceed Sixty Thousand (\$60,000.00) Dollars, payable pursuant to an approved budget; 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 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 either to 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 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.

Agreement LAW # 953

Account to be Charged/credited	Year	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	2014	241	60		4420		5110	\$60,000.00

Budget Funding Year(s) 2014
(must match resolution)

Start Date March 19, 2014 End Date March 18, 2015

Funding Source Tax Dollars \$ 60,000
 State Aid _____
\$ 60,000
 (must match resolution) Federal Aid _____
 Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/20/2014 - JOMAR VIEIRA SECRETARY