

**51425**

DATE: March 4, 2016

TO: Board of Acquisition and Contract

FROM: John B. McCaffrey  
Chief Information Officer  
Department of Information Technology

SUBJECT: Authority to terminate the County's existing agreement with Xerox Corporation for digital color printing equipment (IT-1244) and enter into an agreement (IT-1394) with Xerox Corporation, pursuant to which it will, a.) lease to the County digital color printing equipment and provide maintenance therefor, and b.) lease to the County two (2) scanners and provide maintenance therefor, for a term of five (5) years, commencing upon the termination of IT-1244, for a total amount not-to-exceed \$1,062,470.40, payable monthly in a total amount not-to-exceed \$17,707.84.

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On August 3, 2012, pursuant to authority from a resolution approved by your Honorable Board on June 21, 2012, the County of Westchester (the "County") entered into an agreement (IT-1244) with Xerox Corporation ("Xerox"), pursuant to which Xerox was to lease to the County certain digital color printing equipment and provide maintenance therefor, for a total amount not-to-exceed \$1,050,709.80, payable monthly in an amount not-to-exceed \$17,511.83, for a term commencing on August 3, 2012 and continuing through June 2, 2017.

The County now desires to terminate IT-1244 and enter into a new agreement (IT-1394) with Xerox to lease newer models of digital color printing equipment and receive maintenance for that equipment. The County also desires to lease from Xerox, under IT-1394, two (2) scanners, and have Xerox provide maintenance for that equipment.

Therefore, authority is respectfully requested from your Honorable Board for the County to terminate IT-1244 and enter into agreement IT-1394 with Xerox, pursuant to which Xerox will, a.) lease to the County digital color printing equipment and provide maintenance therefor, and b.) lease to the County two (2) scanners and provide maintenance therefor, for a total amount not-to-exceed \$1,062,470.40, payable monthly in an amount not-to-exceed \$17,707.84.

The total not-to-exceed amount of \$1,062,470.40 under IT-1394 will consist of an amount not-to-exceed \$1,050,709.80 for the lease and maintenance of the printing equipment and an amount not-to-exceed \$11,760.60 for the lease and maintenance of the scanners. The monthly not-to-exceed amount of \$17,707.84 to be paid under IT-1394 will consist of an amount

not-to-exceed \$17,511.83 for the lease and maintenance of the printing equipment and an amount not-to-exceed \$196.01 for the lease and maintenance of the scanners.

In order to minimize the interruption in the availability of digital color printing equipment, the five (5) year term of IT-1394 will commence upon the termination of IT-1244.

The proposed agreement will serve a public purpose by ensuring that the County has the digital printing equipment and scanning equipment necessary in order to accomplish tasks for various County operations, including items that are distributed to the public.

The goal and objective of the proposed agreement is to ensure that the County has the digital printing equipment and scanning equipment necessary in order to accomplish tasks for various County operations, including items that are distributed to the public.

The goal and objective of the proposed agreement is in the best interests of the County in terms of fiscal responsibility, as the County will receive newer models of digital printing equipment for the same cost as its existing, older equipment, as well as receive scanning equipment at a reasonable cost.

The goal and objective of the proposed agreement will be tracked and monitored by the staff of the Department of Information Technology.

Authority to exempt the proposed agreement from the requirements of the Westchester County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, has been submitted to your Honorable Board in accordance with a separate resolution of even date herewith.

I respectfully recommend the adoption of the attached resolution.

JBM/SF/bdm/nn

## RESOLUTION

Upon a communication from the Chief Information Officer, Department of Information Technology, be it hereby:

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to terminate the County's existing agreement with Xerox for digital color printing equipment (IT-1244) and enter into an agreement (IT-1394) with Xerox Corporation ("Xerox"), pursuant to which Xerox will, a.) lease to the County digital color printing equipment and provide maintenance therefor, and b.) lease to the County two (2) scanners and provide maintenance therefor, for a total amount not-to-exceed \$1,062,470.40 payable monthly in an amount not-to-exceed \$17,707.84; and be it further

**RESOLVED**, that, under IT-1394, the total not-to-exceed amount of \$1,062,470.40 shall consist of an amount not-to-exceed \$1,050,709.80 for the lease and maintenance of the printing equipment and an amount not-to-exceed \$11,760.60 for the lease and maintenance of the scanners; and be it further

**RESOLVED**, that, under IT-1394, the monthly not-to-exceed amount of \$17,707.84 shall consist of an amount not-to-exceed \$17,511.83 for the lease and maintenance of the printing equipment and an amount not-to-exceed \$196.01 for the lease and maintenance of the scanners; and be it further

**RESOLVED**, that IT-1394 shall be for a term of five (5) years, commencing upon the termination of IT-1244; and be it further

**RESOLVED**, that the agreement is subject to County appropriations; and be it further

**RESOLVED**, that the 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 the 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 the 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 the agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes of this resolution.

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Account to be  
Charged/Credited

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2016	101	16	6300	4070		\$123,954.88
2017	101	16	6300	4070		\$212,494.00
2018	101	16	6300	4070		\$212,494.00
2019	101	16	6300	4070		\$212,494.00
2020	101	16	6300	4070		\$212,494.00
2021	101	16	6300	4070		\$88,539.52

Budget Funding Year(s): 2016-2021 Start Date: Upon Termination End Date: 5 Years After  
 (must match resolution) of IT-1244 Commencement

Funding Source \$1,062,470.40  
 (must match resolution)

Tax Dollars: \$1,062,470.40  
 State Aid: \_\_\_\_\_  
 Federal Aid: \_\_\_\_\_  
 Other: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION CONTRACT - 03/31/2016 LESKARIJAJ, SECRETARY