

52720

DATE: September 8, 2016

TO: Board of Acquisition and Contract

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

RE: RESOLUTION TO EXEMPT FROM THE WESTCHESTER COUNTY
PROCUREMENT POLICY AND PROCEDURES, PURSUANT TO SECTION 3(a)(xxi)
THEREOF, AN AGREEMENT (IT-1399) WITH ORACLE AMERICA, INC., PURSUANT
TO WHICH IT WILL PROVIDE ON-SITE TECHNICAL SUPPORT SERVICES, FOR A
TERM COMMENCING ON MAY 26, 2016 AND CONTINUING THROUGH MAY 25,
2017.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures an agreement (IT-1399) between the County of Westchester (the "County") and Oracle America, Inc. ("Oracle"), pursuant to which Oracle will provide on-site technical support services, for a term commencing on May 26, 2016 and continuing through May 25, 2017.

Databases and application servers from Oracle are the foundation for many computer systems for the County. The County has deployed Oracle database and application server software on more than 100 servers, including those for the Departments of Finance, Budget, and Human Resources, as well as numerous other enterprise-level systems that run the Oracle database or application server software.

The County has historically retained consultants from Oracle in various capacities to support various Oracle database management and application server software products. Oracle consultants are familiar with Oracle tools and products, and have access to Oracle's Internal Engineering with the knowledge of proprietary information (including source code) of the company. They also help County staff apply industry best practices.

Oracle personnel have, under previous contracts, helped the County address its database needs; delivered technical resources primarily tasked to identify ways to ensure the optimal performance and stability of Oracle systems; addressed existing technical issues via access to Oracle's Internal Engineering; assisted Department of Information Technology ("DoIT") staff with the deployment of new Oracle products; and deployed and maintain the County's RAC and single instance database servers and application servers.

It continues to be important for the County to receive these on-site technical support services in order to maintain the integrity of the County's critical Oracle based applications.

For the period from May 26, 2016 through May 25, 2017, DoIT believes it to be in the County's best interests to contract with Oracle. After the issues (as described in a separately-

submitted resolution) with using a New York State Office of General Services as the basis for its procurement of this contract, if the County now started a competitive procurement process for a contract for these services for this period, it would take a significant amount of time and leave the County without a contract for these vital services in the meantime. It would also open the possibility that a vendor other than Oracle might be selected, while the County is in the middle of several projects that rely upon Oracle's expertise in its own products.

Based upon all of the foregoing, it is proposed that the best interests of the County would be served by exempting this agreement from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof. Therefore, a resolution to exempt this procurement is hereby submitted for your consideration.

JBM/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/06/2010 - JBM/COO/CHEF/SECRETARY

RESOLUTION

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

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of an agreement (IT-1399) with Oracle America, Inc. ("Oracle"), pursuant to which Oracle will provide on-site technical support services, for a term commencing on May 26, 2016 and continuing through May 25, 2017.

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/06/2016 - JAMES P. SCIARDI, SECRETARY