

58090

DATE: July 17, 2017

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to:

- a.) amend an agreement with Xerox Corporation (IT-1245), pursuant to which it was to lease to the County digital monochrome printing equipment and related equipment and software, and was to provide maintenance therefor, by extending its term by up to four (4) months, to the sooner of October 2, 2017 or the removal of said leased equipment, and increasing its not-to-exceed amount by \$46,932.00, to pay for services during the extended term, and
- b.) enter into an agreement with Xerox Corporation (IT-1486), pursuant to which it will lease to the County digital monochrome printing equipment and related equipment and software, and provide maintenance therefor, for a term of five (5) years, commencing upon installation of said leased equipment, for a total amount not-to-exceed \$705,101.40, payable monthly in a total amount not-to-exceed \$11,751.69.

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-1245) with Xerox Corporation ("Xerox"), pursuant to which Xerox was to lease to the County certain digital black and white (i.e., monochrome) printing equipment and related equipment and software, and to provide maintenance therefor, for a total amount not-to-exceed \$867,146.40, payable monthly in an amount not-to-exceed \$14,452.44, for a term commencing on August 3, 2012 and continuing through June 2, 2017.

The County has negotiated with Xerox to lease newer models of equipment and software, and to receive maintenance therefor, at lower costs than under IT-1245, and the County is now prepared to proceed with such an agreement. However, the County will require use of the old equipment under IT-1245 until it is removed as part of the preparation for the installation of the new equipment to be installed under the negotiated new agreement.

Therefore, authority is respectfully requested from your Honorable Board for the County to, a.) amend IT-1245 by extending its term by up to four (4) months, to the sooner of October 2, 2017 or the removal of said leased equipment, and increasing its not-to-exceed amount by \$46,932.00, to pay for services during the extended term, and b.) enter into an agreement with Xerox (IT-1486), pursuant to which Xerox will lease to the County digital monochrome printing

equipment and related equipment and software, and provide maintenance therefor, for a term of five (5) years, commencing upon installation of said leased equipment, for a total amount not-to-exceed \$705,101.40, payable monthly in a total amount not-to-exceed \$11,751.69.

Except as specifically described above, all terms and conditions of IT-1245 shall remain in full force and effect.

The proposed amendment and proposed agreement will collectively serve a public purpose by ensuring that the County has continuous use of the digital monochrome printing equipment and related equipment and software it needs in order to accomplish tasks for various County operations, including items that are distributed to the public, and that the County will soon have newer equipment and software to use for such tasks.

The collective goal and objective of the proposed amendment and the proposed agreement is to ensure that the County has continuous use of the digital monochrome printing equipment and related equipment and software it needs in order to accomplish tasks for various County operations, including items that are distributed to the public, and that the County will soon have newer equipment and software to use for such tasks..

The collective goal and objective of the proposed amendment and the proposed agreement is in the best interests of the County in terms of fiscal responsibility, as, a.) the proposed amendment will enable the County to continue performing monochrome printing in-house at existing monthly costs, until the existing equipment is removed, and b.) the proposed agreement will provide the County with newer models of the digital monochrome printing equipment and related equipment and software it needs, and at lower costs than its existing, older equipment.

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

Authority to exempt the proposed amendment and 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 amend an agreement with Xerox Corporation ("Xerox"), pursuant to which Xerox was to lease to the County certain digital black and white (i.e., monochrome) printing equipment and related equipment and software, and to provide maintenance therefor, for a total amount not-to-exceed \$867,146.40, payable monthly in an amount not-to-exceed \$14,452.44, for a term commencing on August 3, 2012 and continuing through June 2, 2017 (IT-1245), by extending its term by up to four (4) months, to the sooner of October 2, 2017 or the removal of said leased equipment, and increasing its not-to-exceed amount by \$46,932.00, to pay for services during the extended term; and be it further

RESOLVED, that except as specifically hereby authorized to be modified, all terms and conditions of IT-1245 shall remain in full force and effect; and be it further

RESOLVED, that the County is hereby authorized to enter into an agreement with Xerox, pursuant to which Xerox will lease to the County digital monochrome printing equipment and related equipment and software, and provide maintenance therefor, for a term of five (5) years, commencing upon installation of said leased equipment, for a total amount not-to-exceed \$705,101.40, payable monthly in a total amount not-to-exceed \$11,751.69 (IT-1486); 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 any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars	
2017	101	16	6000	4070		\$46,932.00	IT-1245
2017	101	16	6000	4070		\$35,255.97	IT1486
2018	101	16	6000	4070		\$141,023.88	IT1486
2019	101	16	6000	4070		\$141,023.88	IT1486
2020	101	16	6000	4070		\$141,023.88	IT1486
2021	101	16	6000	4070		\$141,023.88	IT1486
2022	101	16	6000	4070		\$105,767.91	IT1486

Budget Funding Year(s): 2017-2022 Start Date: Upon Installation of End Date: 5 Years After
(must match resolution) New Equipment Commencement

Funding Source Tax Dollars: \$752,051.44
\$752,051.44 State Aid: _____
 (must match resolution) Federal Aid: _____
 Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/17/2017 - LISA MRISAJ, SECRETARY