

**65214**

Date: September 26, 2018

To: Board of Acquisition and Contract

From: John M. Nonna  
County Attorney

Marguerite Beirne  
Chief Information Officer

Re: Authority for the County of Westchester to amend an agreement with Computer Sciences Corporation, pursuant to which it provides software maintenance for the County's "RiskMaster" risk management software system, for a term that will continue through March 13, 2019, in order to:

- 1.) Add to the agreement additional maintenance services, which will provide an upgrade and enhanced security for RiskMaster during 2018, for an amount not-to-exceed \$19,840.00 for said additional services; and
- 2.) Extend the term of the agreement by five (5) years, to a new termination date of March 13, 2024, for a total amount not-to-exceed \$142,500.00 during said period for maintenance services for RiskMaster.

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In 1998, the County entered into an agreement with Dorn Technology Group, Inc. ("Dorn Technology") for the licensing, installation and support of a "RiskMaster" risk management software system. Included in the agreement was the provision of software maintenance services for one year, to commence upon completion of the warranty period. This initial software maintenance period ended in 2000. Since that time, the County has periodically renewed the agreement in order to receive continued software maintenance.

Notably, during the course of the maintenance agreement, Dorn Technology changed its name to Mynd Corporation. Subsequently, Computer Sciences Corporation ("CSC") acquired Mynd Corporation and all of its assets.

The most recent extension of the agreement in order to receive continued maintenance services was authorized by your Honorable Board by a resolution approved on March 12, 2014. That resolution authorized the County to amend the maintenance agreement in order to extend

the term for an additional five (5) years, to a new termination date of March 13, 2019 for a total cost of \$161,078.99 during that new, five-year period. The amendment was subsequently executed.

At this time, it is necessary for the County to receive upgrades to the three (3) component products contained within the RiskMaster software: RiskMaster, Business Intelligence and MCM/document management application. These upgrades are vital if the County is to utilize new functionalities and realize enhanced security features for RiskMaster. The cost to obtain said upgrades, based on CSC's cost schedules and anticipated work, has been calculated as \$19,840.00.

The savings associated with the above-mentioned upgrades was partially achieved based upon the County simultaneously agreeing to extend its maintenance agreement with CSC for RiskMaster by five (5) years, to a new termination date of March 13, 2024, for a total amount not-to-exceed \$142,500.00 during said period for maintenance services for RiskMaster. The cost for said maintenance services was successfully negotiated by the County's Department of Information Technology, such that the annual costs during the five-year term will be kept flat, at \$28,500.00 per year, rather than starting at a higher amount and/or increasing year over year. This resulted in a savings to the County of approximately \$48,000.00 over the five-year period.

The above-described savings that resulted from negotiations are particularly notable because RiskMaster software is proprietary to CSC (i.e., it holds all the intellectual property rights to this software and has not licensed any third parties to maintain or upgrade its software). This means that only CSC can provide upgrades and maintenance to the existing RiskMaster system. The only alternative to the proposed agreement for software maintenance and upgrades to the RiskMaster system would be to procure an entirely new system at great cost and which would also require retraining Risk Management personnel to use a new system, which is unnecessary. Based on the fact that only CSC can provide these necessary upgrades, we recommend that this procurement be classified as a sole source procurement pursuant to Section 9 of the Westchester County Procurement Policy.

The proposed amendments will serve a public purpose by ultimately providing the Office of Risk Management with upgraded and well-maintained software, with greater functionality and security, for its risk-management purposes.

The goal and objective of this proposed amendments is to ultimately provide the Office of Risk Management with upgraded and well-maintained software, with greater functionality and security, for its risk-management purposes.

The goal and objective of the proposed amendments is in the best interests of the County in terms of fiscal responsibility and safety and security, as it will ultimately provide the Office of Risk Management with upgraded and well-maintained software, with greater functionality and security, for its risk-management purposes, and thereby enable the Office of Risk Management to function optimally and protect the County's interests.

The goals and objectives of the proposed amendments will be monitored by the staff of

the Office of Risk Management.

Approval of the attached resolution by your Honorable Board is respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/25/2018 - LISA MRIJAJ, SECRETARY

**RESOLUTION**

Upon a communication from the County Attorney and the Chief Information Officer, be it hereby

**RESOLVED**, that the County of Westchester (the “County”) is hereby authorized to amend an agreement with Computer Sciences Corporation (“CSC”), pursuant to which CSC provides maintenance services for the County’s “RiskMaster” risk management software system (the “Services”), for a term that will continue through March 13, 2019, (the “Agreement”) by adding to the Agreement additional maintenance services, which will provide an upgrade and enhanced security for RiskMaster during 2018, for an amount not-to-exceed \$19,840.00 for said additional services; and be it further

**RESOLVED**, that the County is also hereby authorized to amend the Agreement by extending the term thereof by an additional five (5) years, to a new termination date of March 13, 2024, for a total amount not-to-exceed \$142,500.00 during said period for the Services, payable to CSC in the following annual amounts:

Year 1 (3/14/19 – 3/13/20): \$28,500.00

Year 2 (3/14/20 – 3/13/21): \$28,500.00

Year 3 (3/14/21 – 3/13/22): \$28,500.00

Year 4 (3/14/22 – 3/13/23): \$28,500.00

Year 5 (3/14/23 – 3/13/24): \$28,500.00

; and be it further

**RESOLVED**, that pursuant to Section 9 of the Westchester County Procurement Policy, this procurement is deemed a sole source procurement; 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.

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Agreement #: LAW952

Account to be Charged/credited	Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
Upgrade-2018 5 year Extension	2018	615	59	0698/4240	4420/01		\$19,840.00
	2019	615	59	0699/4340	4420/01		\$28,500.00
	2020	615	59	0700/4440	4420/01		\$28,500.00
	2021	615	59	0701/4540	4420/01		\$28,500.00
	2022	615	59	0702/4640	4420/01		\$28,500.00
	2023	615	59	0703/4740	4420/01		\$28,500.00

Budget Funding Year(s): 2018-2024 Start Date: 3/14/2018 End Date: 3/13/2024  
 (must match resolution)

Funding Source Tax Dollars: \_\_\_\_\_  
 State Aid: \_\_\_\_\_  
\$162,340.00 Federal Aid: \_\_\_\_\_  
 (must match resolution) Other: 6-n

APPROVED BOARD OF ACQUISITION CONTRACT #10/25/2018 USA MR/IAJ, SECRETARY