

Office of the County Attorney

John M. Nonna
County Attorney

ID# 66252

Date: November 27, 2018

To: The Honorable Board of Acquisition and Contract

From: John M. Nonna
County Attorney

Re: **Request for authority to exempt from the Westchester County Procurement Policy a proposed agreement between the County of Westchester (the "County") and Municipal Code Corporation ("MuniCode") pursuant to which MuniCode will provide codification and supplementation services to update the Laws of Westchester County ("the Laws") and maintain the Laws on the internet, for an amount not to exceed Ten Thousand (\$10,000.00) Dollars for a one year period, commencing January 1, 2019 and terminating on December 31, 2019.**

Authority is hereby requested to exempt from the Westchester County Procurement Policy a proposed agreement between the County and MuniCode pursuant to which MuniCode will provide codification and supplementation services to update the Laws and maintain the Laws on the internet, for an amount not to exceed Ten Thousand (\$10,000.00) Dollars for a one year period, commencing January 1, 2019 and terminating on December 31, 2019, payable pursuant to an approved budget.

On November 14, 2013 your Honorable Board approved a resolution (the "Resolution") authorizing the County to enter into an agreement with MuniCode pursuant to which MuniCode provided services as described above for a term of January 1, 2014 through December 31, 2016 in an amount not to exceed Thirty Thousand (\$30,000.00) Dollars for the base three (3) year term, with the County having the sole option to extend the term of the Agreement for two (2) additional one (1) year option periods, payable pursuant to an approved budget. The Agreement was subsequently executed, extended for both an additional one-year terms and will terminate on December 31, 2018.

The County has been satisfied with the codification and supplementation services provided by MuniCode and now, in order to ensure continuity of these vital services, and to allow for continued, uninterrupted access to the Laws, seeks to enter into a new agreement with MuniCode for a one year period, commencing January 1, 2019 and terminating on December 31, 2019.

Pursuant to Section 3(a)xxi thereof, the Westchester County Procurement Policy is not applicable to any procurement for which your Honorable Board determines, by Resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interest of the County. It is proposed that the County's interest would be served by exempting the procurement of this agreement from the County Procurement Policy. A Resolution to exempt the procurement of this agreement with MuniCode is submitted for your consideration.

As I believe this agreement to be in the best interests of the County, I most respectfully recommend and urge the adoption of the annexed Resolution.

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

JN/mg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/20/2018 - JOAN COCCIARDI SECRETARY

RESOLUTION

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

RESOLVED, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy, 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 interest of the County of Westchester in connection with the procurement of an agreement with Municipal Code Corporation pursuant to which Municipal Code Corporation will provide codification and supplementation services to update the Laws of Westchester County and maintain the Laws of Westchester County on the internet, for an amount not to exceed Ten Thousand (\$10,000.00) Dollars for a one year period, commencing January 1, 2019 and terminating on December 31, 2019.

APPROVED BOARD OF ACQUISITION & CONTRACTS 12/30/2018 JONATHAN COCCARDI, SECRETARY