

February 2, 2010

To: Board of Acquisition and Contract

From: Robert F. Meehan  
County Attorney

Marguerite Beirne  
Chief Information Officer

Re: Resolution to authorize the County of Westchester to extend an existing software maintenance agreement for the risk management software system with Computer Sciences Corporation for an additional two (2) years.

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In 1998, the County entered into an agreement with Dorn Technology Group, Inc. for the licensing, installation and support of a risk management software system (hereinafter "Riskmaster"). 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 on March 14, 2000. Dorn Technology changed its name to Mynd Corporation. Subsequently, Computer Sciences Corporation ("CSC") acquired Mynd Corporation and all its assets. All along, the County has been periodically renewing the maintenance agreement.

On March 1, 2007, your Honorable Board authorized the County to renew the agreement for software maintenance for the period March 15, 2007 through March 14, 2010, at a total cost of \$53,257.76. The agreement was subsequently executed. The agreement was amended in 2008 in order to add two additional modules that were licensed and installed at that time and further amended in 2009 to add yet another additional module. CSC has continued to satisfactorily provide the required software maintenance services to the County pursuant to this agreement.

Pursuant to the proposed extension, CSC will continue to provide software maintenance services for an additional two (2) year period, commencing March 15, 2010. The County will pay to CSC the following annual fees:

Year 1 - \$25,302.21

Year 2 - \$26,314.29

Since the software in question is proprietary to CSC, they are the only ones who can provide maintenance. Therefore, we recommend that this procurement be classified as a sole source procurement pursuant to Section 9 of the Westchester County Procurement Policy.

The public purpose of this amendment is to enable the Office of Risk Management to maintain its risk management software system. The goal and objective is to ensure that the software functions as required. These objectives will be monitored by the staff of the Office of Risk Management. Failure to enter into this amendment would mean that the County would have no way to correct any bugs or errors that may happen while utilizing the software.

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

RM/MB/rpc

APPROVED BOARD OF ACQUISITION & CONTRACT - 2-18-2010 - JOMARY VIEIRA, 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 authorized to extend an agreement with Computer Sciences Corporation ("CSC") for software maintenance for the County's risk management software system for the period March 15, 2010 through March 14, 2012; and be it further

**RESOLVED**, that the County will pay to CSC the following annual fees:

Year 1 - \$25,302.21

Year 2 - \$26,314.29

for a total amount payable of \$51,616.50; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; and be it further

**RESOLVED**, that this 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 this 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 this 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 this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that pursuant to Section 9 of the Westchester County Procurement Policy, this procurement be deemed a sole source procurement; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions necessary to implement this Resolution.

Account to be Charged/credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
615	59	0689/3340	4420/01		\$25,302.21 - 2010
615	59	0689/3340	4420/01		\$26,314.29 - 2011

Budget Funding Year(s) 2010 - 2014 Start Date 3/15/2010 End Date 3/14/2012  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 \$ 51,616.50 Federal Aid \_\_\_\_\_  
 (must match resolution)  
 Other 6N \_\_\_\_\_

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