



Office of the County Attorney

70626

July 10, 2019

To: The Honorable Board of Acquisition and Contract

From: John M. Nonna  
County Attorney

Re: **Resolution authorizing the County of Westchester to award and enter into a contract (Contract No. LAW 1104) with Nationwide Court Services, Inc. for the service of legal documents in all Family Court Proceedings, for the period August 1, 2019 and terminating July 31, 2021, for an amount not to exceed \$349,930.00 per year, for a total contract amount not to exceed \$699,860.00, payable at the rates set forth in Nationwide's Bid Sheet, subject to appropriation.**

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By a Resolution approved on June 13, 2019, your Honorable Board authorized the County of Westchester ("County") to solicit bids by public advertisement for service of legal documents in all Family Court Proceedings under a contract commencing August 1, 2019 and terminating on July 31, 2021. An advertisement appeared in the Journal News on both June 23, 2019 and June 27, 2019. On July 10, 2019, three (3) bids were received and opened. The low bidder, Nationwide Court Services, Inc. ("Nationwide"), met the bid specifications and following a due diligence review, has been found to be a responsible bidder.

The public purpose, as well as the goal and objective of this contract, is to allow the Department of Law to carry out its statutory duties in connection with Family Court proceedings. For the year 2018, the County requested service over 4,000 times in connection with Family Court proceedings. Due to the large volume of work, this service is best handled through an outside vendor as the Law Department does not have sufficient staff to cover this work. In addition, since the volume of services required varies on a daily basis, it is more fiscally prudent for the County to contract with an outside vendor rather than creating additional in-house staff positions sufficient in number to handle peak volume periods. Process servers are, on occasion, also required to testify in court. By utilizing an outside vendor, the County avoids having to defend the actions of its own employees in court in connection with service of process. By having such a contract in place, the Law Department is able to carry out its statutory duties in the Family Court and protect the health, safety and welfare of the men, women and children who are protected by the County's actions in the Family Court.

The performance of Nationwide under this contract will be monitored by the Law Department staff and staff of the Department of Social Services to ensure compliance with contract terms.

Accordingly, attached for your consideration is a Resolution which, if approved, would authorize the County to award and enter into a contract with Nationwide for the service of legal documents in all Family Court Proceedings for the period commencing August 1, 2019 and terminating July 31, 2021, in an amount not-to-exceed \$349,930.00 per year, payable at the rates set forth in Nationwide's bid sheet, for a total contract amount not to exceed \$699,860.00.

JMN/jpg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/18/2019 JSM/PLA/SECRETARY

## RESOLUTION

Upon a communication from the County Attorney, be it hereby

**RESOLVED**, that the County of Westchester (“County”) is authorized to award and enter into a contract for the service of legal documents in all Family Court Proceedings (Contract No. LAW 1104) with the low bidder, Nationwide Court Services, Inc. (“Nationwide”), for a two year period commencing August 1, 2019 and terminating July 31, 2021, in an amount not to exceed \$349,930.00 per year, for a total contract amount not to exceed \$699,860.00, payable at the rates set forth in Nationwide’s Bid Sheet (“Agreement”); 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 budget of the State of New York and/or the adoption of the State Budget or any amendments thereto, and after the County has a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of 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 such Contractor shall have the right to terminate this 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 and all instruments and take all actions necessary to accomplish the purpose hereof.

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars	
101	18	1000	4923		\$174,965	2019
101	18	1000	4923		\$349,930	2020
101	18	1000	4923		\$174,965	2021

Budget Funding Year(s) 2019-2021 Start Date: 8/1/19 End Date: 7/31/21  
 (must match resolution)

Funding Source: Tax Dollars \$699,860  
 State Aid \_\_\_\_\_  
\$699,860 Federal Aid \_\_\_\_\_  
 Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/18/2019 - LISA MRIN SECRETARY

**CONTRACT No. LAW 1104**

**Westchester County Department of Law for  
Service of Process in All Family Court Proceedings**

**BIDS RECEIVED: WED. 7/10/19 11:00 AM**

<b>CONTRACTOR</b>	<b>BID RANK</b>	<b>AMOUNT</b>	<b>SUBCONTRACTOR</b>
<b>Ben's Distribution Center, Inc.</b>			
<b>BrainSurface LLC</b>			
<b>Enterprise Pals, Inc.</b>			
<b>Excellence Process Service, Inc.</b> 232 New Hackensack Road, Wappingers Falls, N.Y. 12590	3	\$468,950/yr.	
<b>Floral Park Consulting, LLC</b>			
<b>IDMC</b>			
<b>Inter County Judicial Services LLC</b> 901 North Broadway Suite 18 North White Plains, New York 10603	2	\$369,635/yr.	
<b>Nationwide Court Services, Inc.</b> 761 Koehler Avenue Suite A Ronkonkoma, New York 11779	1	\$349,930/yr.	