



George Latimer  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

75023

Date: February 22, 2020

To: Honorable Members of the Board of Acquisition and Contract

From: Kevin M. McGuire, Commissioner  
Department of Social Services

RE: **Authority for the County of Westchester, by and through its Department of Social Services, to enter into an agreement with Experian Information Solutions, Inc. for the provision of consumer credit reports to assist the Department's Office of Child Support Enforcement in tracking persons who are delinquent in Child Support Obligations in an amount not to exceed \$10,000 for the period from January 1, 2020 through December 31, 2020.**

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Authority is requested for the County of Westchester (the "County"), acting by and through its Department of Social Services (the "Department"), to enter into an agreement with Experian Information Solutions, Inc. ("Experian"), pursuant to which Experian will provide credit reports to assist the Department's Office of Child Support Enforcement in tracking persons who are delinquent in child support obligations. The information will be used to bring these persons to court in order to obtain payments and seize assets. The Agreement shall be in an amount not to exceed \$10,000 for the period of January 1, 2020 through December 31, 2020 and payable according to a fixed price schedule (the "Agreement").

In order to enter into the Agreement, Experian has requested that the County "indemnify, defend and hold harmless Experian from and against any and all claims and expenses, including reasonable attorney fees, which may be asserted against or incurred by Experian, based upon the

use by County of the Services or other information furnished by Experian for purposes not permitted by law.”

This agreement provides the Department of Social Services’ Office of Child Support Enforcement (OCSE) with access to the Experian consumer credit database. The database contains information which will assist OCSE in locating noncustodial parents who are delinquent in their child support obligations. OCSE will use the information to bring obligors to court, obtain payments and seize assets. In addition, securing financial support for children reduces their reliance on public assistance and helps to recoup funds expended by Westchester County on their behalf.

The proposed Agreement with Experian is necessary so that the County can comply with New York State Legislation that charges the County with the responsibility of tracking those persons who are delinquent in child support obligations.

The proposed Agreement will serve a public purpose by providing the County with assistance in tracking delinquent child support obligors.

The goals and objectives of the proposed Agreement shall be to provide the County with assistance in tracking delinquent child support obligors and bringing same to court to obtain payments, and seize assets to satisfy these delinquencies.

The goals and objectives of the proposed Agreement are in the County’s best interest regarding fiscal responsibility so that child support payments are obtained for children who are entitled to these payments and therefore lessening their dependence on public assistance.

The goals and objectives of the proposed Agreement shall be tracked and monitored by the Department.

In order to comply with the County Procurement Policy the Department solicited price quotations from service providers: Experian provided the lowest price quotation.

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/26/2020 - LISA MRIJAJ, SECRETARY

## RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, be it hereby

**RESOLVED**, that the County of Westchester (the "County"), acting by and through its Department of Social Services (the "Department"), is hereby authorized to enter into an agreement with Experian Information Solutions, Inc. ("Experian"), pursuant to which Experian will provide credit reports to assist Department's Office of Child Support Enforcement in tracking persons who are delinquent in child support obligations for the term January 1, 2020 through December 31, 2020 in the total amount not to exceed \$10,000 payable according to a fixed price schedule ( the "Agreement"); and be it further

**RESOLVED**, that pursuant to the Agreement the County shall "indemnify, defend and hold Experian harmless from and against any and all claims and expenses, including reasonable attorney's fees, which may be asserted or incurred by Experian, based upon the use by the County of the Services or other information furnished by Experian for purposes not permitted by law"; and be it further

**RESOLVED**, that this 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 ("State Budget") proposed and adopted during the term of these agreements. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State budget and/or 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 impact of any such budget(s) 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 authorized designee is empowered to execute any and all documents necessary to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2020	101	22	8000	4420	-----	\$10,000

Budget Funding Year(s): 2020 Start Date: 01/01/2020 End Date: 12/31/2020  
 (must match resolution)

Funding Source: Tax Dollars: 100%  
 State Aid: 0%  
 Federal: 0%

\$10,000  
 (must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACTS 03/26/2020 - LISAMRIAJ, SECRETARY