



**WESTCHESTER
COUNTY CLERK**

MEMORANDUM

Timothy C. Idoni

110 Dr. Martin Luther King, Jr. Blvd., White Plains, NY 10601

76238

TO: Board of Acquisition and Contract

FROM: Timothy C. Idoni
County Clerk

Marguerite C. Beirne
Chief Information Officer
Department of Information Technology

DATE: April 23, 2020

RE: Authorization for the County of Westchester to enter into an agreement with New York State Industries for the Disabled, Inc., for the provision of data imaging services to the County Clerk's Office, on an as needed basis, for a term commencing on January 1, 2020 and continuing through December 31, 2021, with the County having the sole option to extend the term by up to two (2) consecutive one-year periods thereafter; and to exempt NYSID from the County's Performance and Payment Bond requirement.

Authority is hereby requested for the County of Westchester (the "County") to enter into an agreement (the "Agreement") with New York State Industries for the Disabled, Inc. ("NYSID"), pursuant to which NYSID will provide data imaging services, on an as needed basis, to the County Clerk's Office (the "Services") for a term commencing on January 1, 2020 and continuing through December 31, 2021 (the "Initial Term"), with the County having the sole option to extend the term by up to two (2) consecutive one (1) year periods thereafter (the "Option Terms").

Under the proposed Agreement, NYSID would be paid a total amount not-to-exceed \$120,964.00 for the Initial Term and a total not-to-exceed amount of \$128,026.00 for the Option Terms, subject to appropriations, as set forth below:

2020	\$59,445.50
2021	\$61,518.50
2022	\$62,951.50
2023	\$65,074.50

Under the proposed Agreement, NYSID would be authorized to utilize the services of its corporate partner Digiscribe International, LLC, 150 Clearbrook Road, Suite 125, Elmsford, New York, in conjunction with its member organization Ability Beyond, 480 Bedford Road, Chappaqua, New York, for all of the Services to be provided under the Agreement.

Pursuant to New York State Finance Law §162, the procurement of certain commodities and services is exempted from competitive procurement provisions, and the County is required to give designated preferred sources an opportunity to provide those commodities or services. The exemption applies to the provision of the Services subject of the proposed Agreement.

The Commissioner of the NYS Office of Children of Family Services (“OCFS”) / NYS Commission for the Blind (“NYSCB”) has designated New York State Preferred Source Program for New Yorkers Who Are Blind (“NYSPSP”), 136 State Street, 2nd floor, Albany, New York, and the Commissioner of Education (“SED”) has appointed NYSID, 11 Columbia Circle Drive, Albany, New York, to manage the preferred source program and facilitate orders amongst the respective approved, charitable, non-profit-making member organizations pursuant to State Finance Law § 162.

In accordance with the provisions contained in State Finance Law §162, the County notified NYSID and NYSPSP that the County was seeking to procure the Services. In response, NYSID and NYSPSP notified the County of its respective intent to provide the Services.

In accordance with State Finance Law §162, the County reviewed the information provided by NYSID and NYSPSP and has determined that the Services are available in the “form, function, and utility” required by the County. In accordance with the Preferred Source Guidelines, equal priority is accorded to NYSPSPS and NYSID, and if more than one preferred source meets the service requirements, cost shall be the determining factor in selecting among the qualified sources. The pricing proposed by NYSID utilizing its corporate partner Digiscribe and its member organization Ability Beyond is lower than that proposed by NYSPSP.

Pursuant to State Finance Law §162, the Commissioner of the New York State Office of General Services (“OGS”) sets the fair market price for services and determines whether a proposed price is within fifteen percent (15%) of the fair market price. The County must utilize the preferred provider as long as the price for the services does not exceed fifteen percent (15%) of the fair market price for such services as determined by OGS. OGS has determined the pricing proposed by NYSID through Digiscribe International LLC and Ability Beyond to be reasonable and has approved the proposed price.

Accordingly, the County is seeking authority to enter into the proposed Agreement. NYSID has provided services to the County for a number of years and currently has other contracts with the County. Accordingly, authority is requested to eliminate the requirement that NYSID provide a Performance and Payment Bond.

NYSID will perform the Services by utilizing Ability Beyond in conjunction with Digiscribe International LLC. The utilization of Ability Beyond and the population it serves, individuals with disabilities, is precisely the arrangement that was envisioned when NYSID was established and the preferred source procurement program was adopted.

This proposed Agreement will serve a public purpose by providing the County with scanned documents thereby safeguarding the records maintained by the Office of the County Clerk and facilitating access by the public and staff.

The goal and objective of the proposed Agreement is to maintain operational efficiencies while reducing costs in the County Clerk’s Office.

The goal and objective of the proposed agreement will be tracked and monitored by the Office of the County Clerk.

Accordingly, we respectfully request approval of the attached Resolution.

TCL/ef
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/14/2020 - LISA MRIJAJ, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into a contract with New York State Industries for the Disabled, Inc. ("NYSID"), 11 Columbia Circle Drive, Albany, New York, for the provision of data imaging services to the Office of the County Clerk, on an as needed basis (the "Services"), for a term commencing on January 1, 2020 and continuing through December 31, 2021 (the "Initial Term"), with the County having the sole option to extend the term by up to two (2) consecutive one-year periods thereafter (the "Option Terms"); and be it further

RESOLVED, that under the Agreement, NYSID will be paid, subject to appropriations, a total not-to-exceed amount of \$120,964.00 for the Initial Term and a total not-to-exceed amount of \$128,026.00 for the Option Terms, as set forth below:

2020	\$59,445.50
2021	\$61,518.50
2022	\$62,951.50
2023	\$65,074.50

and be it further

RESOLVED, that NYSID is hereby authorized to utilize the services of its corporate partner Digiscribe International, LLC, 150 Clearbrook Road, Suite 125, Elmsford, New York, as its subcontractor, in conjunction with its member organization Ability Beyond, 480 Bedford Road, Chappaqua, New York, for all of the Services to be provided under the Agreement; and be it further

RESOLVED, that NYSID will not be required to post a Performance and Payment Bond; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute all instruments and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be Charged/Credited

Fiscal Year	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-object	Trust Account	Dollars
2020	101	21	0300	4420		\$59,445.50
2021	101	21	0300	4420		\$61,518.50
2022	101	21	0300	4420		\$62,951.50
2023	101	21	0300	4420		\$65,074.50

Budget Funding Year(s) 2020 -2023 **Start Date** 1/1/2020 **End Date** 12/31/2023

(must match resolution)

Funding Source

Tax Dollars \$248,990.00

State Aid _____

\$248,990.00

Federal Aid _____

(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/14/2020 - LISA MURRAY, SECRETARY