

George Latimer  
County Executive

Department of Social Services  
Kevin McGuire  
Commissioner

**78186**

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire  
Commissioner  
Department of Social Services

Marguerite Beirne  
Chief Information Officer  
Department of Information Technology

DATE: July 24, 2020

RE: Authorization for the County of Westchester, acting by and through its Department of Social Services, to enter into an agreement with the New York State Industries for the Disabled (“NYSID”) for document scanning and indexing services for the Westchester County Department of Social Services for the three (3) year period from September 16, 2020 to September 15, 2023, for a total amount not to exceed \$2,242,500, payable at approved rates and subject to appropriations; to approve Ability Beyond Disability, Inc. and Digiscribe International, LLC as subcontractors; and to exempt NYSID from the County’s Performance and Payment Bond requirement.

---

Authorization is hereby requested for the County of Westchester (the “County”), acting by and through its Department of Social Services (“DSS”) to enter into an agreement with the New York State Industries for the Disabled (“NYSID”) for document scanning and indexing services for DSS for the three (3) year period from September 16, 2020 to September 15, 2023, for a total amount not to exceed \$2,242,500, payable at approved rates and subject to appropriations (the “Agreement”); to approve Ability Beyond Disability, Inc. and Digiscribe International, LLC as subcontractors; and to exempt NYSID from the County’s Performance and Payment Bond requirement. The County may, at its sole option, renew the agreement for up to two additional one year terms at the following not-to-exceed amounts: \$812,500 for the first renewal option and \$845,000 for the second renewal option, subject to the further approval of your Honorable Board.

The State of New York enacted legislation (New York State Finance Law § 162) which not only exempts the procurement of certain products and services from competitive procurement provisions, but also requires the County to give designated preferred sources an opportunity to provide these commodities or services. The exemption applies to the provision of document scanning and indexing services and NYSID is a preferred source.

NYSID is a non-profit organization established in 1976 by the New York State Commissioner of Education to act as the central coordinator for member organizations, which serve people with disabilities by making those organizations eligible for State contracts as preferred providers. As of today, approximately one hundred twenty five (125) organizations are certified for NYSID membership, and Ability Beyond Disability, Inc., 480 Bedford Road, Chappaqua, NY 10514 and Digiscribe International, LLC, 150 Clearbrook Road, Suite 125, Elmsford, NY 10523, are such member agencies.

In accordance with, and pursuant to the provisions contained in State Finance Law § 162, the County notified NYSID describing the requirements of this contract, and NYSID submitted a notice of intent within the requisite ten (10) days to provide the services. In accordance with State Finance Law § 162, the County has reviewed the information provided by NYSID and has determined that the services are available in the “form, function and utility” required by the County.

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 that 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 (in situations where the total amount of the agreement is less than \$50,000, the County must make the determination whether or not the proposed price is reasonable). OGS has determined that the proposed price under this contract is reasonable based on the applicable Prevailing Wage Schedule as set by the New York State Commissioner of Labor and taking into account the provisions of the Westchester County Living Wage Law.

NYSID will perform the document preparation services by utilizing Ability Beyond Disability, Inc. and Digiscribe International, LLC, as subcontractors. The utilization of Ability Beyond and Digiscribe and the population they serve, individuals with disabilities, as subcontractors on this contract, is precisely the arrangement that was envisioned when NYSID was set up and the preferred source procurement was adopted.

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.

This contract is in the public’s best interest because it will maintain operational efficiencies while reducing costs in DSS. DSS will track the agreement’s progress by performing quality control for indexed documents to ensure legibility and correct categorization.

Accordingly, authorization to award the contract for document scanning and indexing services at DSS to NYSID is requested. I recommend approval of the attached resolution.

KMM/CH/jpg  
Attachment

## RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services and the Chief Information Officer, be it hereby

**RESOLVED**, that the County of Westchester (the "County"), acting by and through the Department of Social Services (the "DSS") is hereby authorized to enter into an agreement with the New York State Industries for the Disabled ("NYSID") for document scanning and indexing services for DSS for the three (3) year period from September 16, 2020 to September 15, 2023, for a total amount not to exceed \$2,242,500, payable at approved rates; and be it further

**RESOLVED**, that Ability Beyond Disability, Inc., 480 Bedford Road, Chappaqua, NY 10514 and Digiscribe International, LLC, 150 Clearbrook Road, Suite 125, Elmsford, NY 10523 are approved as subcontractors; and be it further

**RESOLVED**, that a Performance and Payment Bond will not be required based on NYSID's preferred source status and that NYSID has provided services to the County for a number of years and currently has other contracts with the County; and be it further

**RESOLVED**, that the County may, at its sole option, renew the agreement for up to two additional one year terms at the following not-to-exceed amounts: \$812,500 for the first renewal option and \$845,000 for the second renewal option, subject to the further approval of the Westchester County Board of Acquisition & Contracts; 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 the County Executive or his authorized designee be and hereby is authorized and empowered to execute any and all documents necessary and appropriate 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	0010	4420		\$218,021
2021	101	22	0010	4420		\$747,500
2022	101	22	0010	4420		\$747,500
2023	101	22	0010	4420		\$529,479

Budget Funding Year(s):  
(must match resolution)

Start Date:  
09/16/2020

End Date:  
09/15/2023

Funding Source

Tax Dollars: 32%  
State Aid: 25%  
Federal Aid: 42%  
Other:

\$2,242,500  
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACTS - 08/20/2020 - LISA MIJAJ, SECRETARY