



**Office of the District Attorney  
County of Westchester**

**MEMORANDUM**

**80281**

Date: October 15, 2020

To: Board of Acquisition and Contract

From: Anthony A. Scarpino, Jr.  
District Attorney

Re: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, the procurement of an agreement with West Publishing Corporation for its "Westlaw," "West ProFlex" and "West KM" legal research services, for a term commencing on January 1, 2021 and continuing through December 31, 2023.

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Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures the procurement of an agreement between the County of Westchester (the "County"), acting by and through the Office of the District Attorney (the "DA's Office"), and West Publishing Corporation ("West"), pursuant to which West will provide the DA's Office with its "Westlaw," "West ProFlex" and "West KM" legal research services, for a term commencing on January 1, 2021 and continuing through December 31, 2023 (hereinafter the "Agreement").

The County's existing agreement with West, pursuant to which it provides the DA's Office with the same on-line legal research services will expire on December 31, 2020. When compared against the fees currently paid for these services in 2020 and against West's initial cost proposal for 2021-2023, the proposed Agreement will provide the DA's Office with significant savings.

Pursuant to the terms of the proposed Agreement that was negotiated by the DA's Office, the DA's Office will receive these services in 2021 for approximately \$9,400 less than it has paid for these services in 2020 (15% savings over 2020); in 2022 for approximately \$8,600 less than it has paid for these services in 2020 (14% savings over 2020); and in 2023 for approximately \$7,900 less than it has paid for these services in 2020 (13% savings over 2020). That will be a cumulative savings of approximately \$26,000 over the three (3) year term of the proposed Agreement versus the actual costs in 2020, while still providing the DA's Office the same legal research services. The savings in the proposed Agreement represent an overall three (3) year cost savings of approximately fourteen percent (14%) versus the actual costs for these services in 2020.

Given the significant total savings described above, as well as the ability to avoid expending the time and money for implementation and training that would be associated with a switch to the services of a competitor, it is proposed that the best interests of the County would be served by exempting the procurement of the proposed Agreement from the application of the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof. Therefore, a resolution to exempt this procurement is hereby submitted for your consideration.

AAS/PD/jpi

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/12/2020 - LISI M. RASO, SECRETARY

**RESOLUTION**

Upon a communication from the District Attorney, be it hereby

**RESOLVED**, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester in connection with the procurement of an agreement with West Publishing Corporation (“West”), pursuant to which West will provide the DA’s Office with its “Westlaw,” “West ProFlex” and “West KM” legal research services, for a term commencing on January 1, 2021 and continuing through December 31, 2023.

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/12/2020 DISTRICT ATTORNEY SECRETARY