

30526

DATE: November 20, 2012

TO: Honorable Board of Acquisition and Contract

FROM: John B. McCaffrey, Chief Information Officer  
Department of Information Technology      John M. Cullen, Commissioner  
Department of Emergency Services

RE: AUTHORIZATION TO AMEND LICENSE AGREEMENT IT-1136 WITH VERIZON NEW YORK, INC. FOR THEIR EMERGENCY SUBSCRIBER LIST INFORMATION TO EXTEND THE TERM OF THE CONTRACT FOR ONE YEAR COMMENCING JANUARY 1, 2013 AND TERMINATING DECEMBER 31, 2013 AND INCREASE THE AMOUNT BY \$7,648 TO A NEW TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$32,028

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BACKGROUND:

- On December 17, 2009, your Honorable Board approved a resolution which authorized entering into an agreement (IT-1136) with Verizon New York, Inc. ("Verizon"), for three years of Emergency Subscriber List services for the County's 9-1-1 database in use by the Department of Emergency Service ("DES"), commencing January 1, 2010 and terminating December 31, 2012, for a total not to exceed contract amount of \$24,380. Contract IT-1136 authorized in this resolution was subsequently executed and approved.
- It remains critical to continue the Emergency Subscriber List ("ESL") services for the County's 9-1-1 database, provided by Verizon and utilized by DES, in order to maintain the integrity of the 9-1-1 database. Therefore, we now come before your Honorable Board requesting approval to amend the agreement (IT-1136) with Verizon to extend the term of the contract for one year of Emergency Subscriber List ("ESL") services commencing January 1, 2013 for a total not to exceed amount of \$7,648.
- Pursuant to Section 9 of the Westchester County Procurement Policy and Procedures, it is our recommendation that after reasonable investigation, it has been determined that the Emergency Subscriber List from Verizon is the only one practicable source for the provision of this information. Verizon, through the Verizon Operating Companies, maintains certain subscriber list information data with respect to its own telephone subscribers, as well as subscribers of other telecommunications carriers that are located within the territories served by the Verizon Operating Companies; and according to PSC (Public Safety Commission) Tariff NY No. 1 Section 19, is the sole source provider of the Emergency Subscriber List. For this reason, it is our recommendation that the subject procurement qualifies as sole source procurement and is exempt from the procedures of the Procurement Policy under Section 9 of said Policy.
- This contract will have a public purpose because it will improve the County's ability to notify residents in the event of an emergency. This service has a direct impact on the safety and welfare of the community.

- The goals and objectives for this contract are to provide effective, reliable information from government departments and agencies to Westchester citizens. DoIT staff will continually monitor the services provided by Verizon to insure this critical information is provided and disseminated to the public.
- The contracted system supports fiscal responsibility because the safety and welfare of Westchester County residents far outweighs the cost of the emergency subscriber list utilized for emergency notifications.

ACTION REQUESTED:

- Authorization to amend an agreement (IT-1136) with Verizon New York, Inc., having an office located at 140 West Street, New York, New York 10007, to extend the term of the contract for one year of their Emergency Subscriber List services, including updates, for the County's 9-1-1 database used by DES, commencing January 1, 2013 and terminating December 31, 2013, and to increase the amount by \$7,648, payable monthly, to a new total not to exceed contract amount of \$32,028, subject to County appropriations.

A resolution authorizing the aforementioned agreement is submitted herewith for your consideration.

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION  
2012 - JOMARY MORA, SECRETARY

**RESOLUTION**

UPON A COMMUNICATION FROM THE CHIEF INFORMATION OFFICER, DEPARTMENT OF INFORMATION TECHNOLOGY AND THE COMMISSIONER, DEPARTMENT OF EMERGENCY SERVICES, BE IT HEREBY

RESOLVED: that the County of Westchester is hereby authorized to amend a License Agreement (IT-1136) with Verizon New York, Inc., having an office located at 140 West Street, New York, New York 10007, to extend the term of the contract for one year of their Emergency Subscriber List services for the County's 9-1-1 database used by the Department of Emergency Services, commencing January 1, 2013 and terminating December 31, 2013, and increase the amount by \$7,648, payable monthly, to a new total not to exceed contract amount of \$32,028; and be it further

RESOLVED, that subject procurement qualifies as a sole source procurement and is exempt from the procedures of the Procurement Policy under Section 9 of said Policy; and be it further

RESOLVED, this Agreement is subject to County appropriations; and be it further

RESOLVED, 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 all other terms and conditions of the original agreement shall remain the same; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary to effectuate the purposes hereof.

Contract No. **IT-1136**

Original Agreement: \$ 24,380  
**This Amendment: \$ 7,648**  
 TOTAL: \$ 32,028

Account to be Charged:

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2013	263	20	752J	4140	T-752	\$7,648

Budget Funding Year(s): 2013 Start Date: January 1, 2013 End Date: December 31, 2013

Funding Source Tax Dollars: \_\_\_\_\_  
 State Aid \$7,648

**\$7,648**

(must match resolution)

Federal Aid \_\_\_\_\_

Other: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/20/2012 -- JOMARY VIEIRA, SECRETARY