

Robert P. Astorino  
County Executive

Solid Waste Commission

Bruce B. Berger  
Executive Director

**Solid Waste Commission**

100 East First Street  
Mount Vernon, New York 10550  
(914) 813-6850  
fax: (914) 813-6852

**31682**

Date: January 7, 2013

To: Members of the Board of Acquisition and Contract

From: Bruce Berger, Executive Director,  
Solid Waste Commission

Re: Resolution authorizing the County of Westchester, acting by and through its Solid Waste Commission, to enter into an agreement with LexisNexis, a Reed Elsevier Inc. business, for the provision of computer-assisted legal and general research services for a three (3) year period commencing January 1, 2013 and terminating December 31, 2015 for a total of \$35,784, subject to County appropriations

---

Transmitted herewith is a resolution which, if approved by your Honorable Board, will authorize the County of Westchester (the "County"), acting by and through its Solid Waste Commission to enter into a Subscriber Agreement (the "Agreement") with Lexis Nexis, a Reed Elsevier business ("Lexis Nexis"), for the provision of on-line computer assisted legal and general research services for the Solid Waste Commission, for a three (3) year period commencing January 1, 2013 and terminating December 31, 2015. In consideration for services rendered, the County will pay Lexis Nexis a total of \$35,784 for the term of this agreement, subject to County appropriations.

Authority to exempt this Agreement from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof has been granted by your Honorable Board in accordance with a separate resolution of even date herewith.

The services provided pursuant to this Agreement will serve a public purpose by allowing access to legal research, news and archived news items, public database records and business background information. It is imperative to ensure that the staff of the Solid Waste Commission has access to the most up-to-date information regarding legal developments, news and archived news items, public database records and business background information for use as it

investigates the backgrounds of companies and individuals seeking to operate in the solid waste and recyclables hauling industry in Westchester County.

The goals and objectives of this proposed Agreement are to provide access to comprehensive and legal research, current news and archived news items, public database records and business background information, in electronic formats. The goals and objectives will be tracked and monitored by Solid Waste Commission staff. The goals and objectives are in the best interest of the County in terms of fiscal responsibility since it is cost effective to use Lexis Nexis when compared to its competitor, West, which does not have all the research and news components needed by the Solid Waste Commission.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

BB/jpi

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/28/2013 - JONATHAN W. HUBBARD, SECRETARY

**RESOLUTION**

Upon a communication from the Executive Director, Solid Waste Commission, be it hereby:

**RESOLVED**, the County of Westchester (the "County"), acting by and through its Solid Waste Commission to enter into a Subscriber Agreement (the "Agreement") with Lexis Nexis, a Reed Elsevier business ("Lexis Nexis"), for the provision of on-line computer assisted legal and general research services for the Solid Waste Commission, for a three (3) year period commencing January 1, 2013 and terminating December 31, 2015. In consideration for services rendered, the County will pay Lexis Nexis a total of \$35,784, for the term of this agreement; 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 duly authorized designee be hereby authorized and empowered to execute any and all instruments necessary and proper to accomplish the purposes of this Resolution.

Account to be Charged/credited	Fund	Agency	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
	101	41	1000	4380		\$35,784

Budget Funding Year(s) 2013-15 Start Date 1-1-13 End Date 12-31-15

Tax Dollars: none (paid by hauler fees)  
State Aid: none (same)  
Federal Aid: none (same)  
Other: paid by hauler fees