

Office of the County Attorney

34894

July 10, 2013

To: The Honorable Board of Acquisition and Contract

From: Robert F. Meehan  
County Attorney

Re: **Resolution authorizing the County of Westchester to award and enter into a contract (Law #921) with Inter County Judicial Services, LLC for the service of legal documents in all Family Court Proceedings, for an amount not to exceed \$211,479.00 per year for the period August 1, 2013 and terminating July 31, 2015, subject to appropriations**

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By a Resolution approved on April 18, 2013, your Honorable Board authorized the County to solicit bids by public advertisement for service of legal documents in all Family Court Proceedings under a contract commencing August 1, 2013 and terminating on July 31, 2015. An advertisement appeared in the Journal News on June 3, 2013. On June 19, 2013, three (3) bids were received and opened. The apparent low bidder, Irede Process Servers, Inc., was deemed non-responsive as Irede did not meet the experience requirement listed in the bid specification which required all bidders to have a minimum of two years experience in process serving in volumes similar to that required by the County. The low bidder, Inter County Judicial Services, LLC., met the bid specifications and their past experience in providing service of process for the County has been found to be satisfactory.

The public purpose, as well as the goal and objective of this contract, is to allow the Department of Law to carry out its statutory duties in connection with Family Court proceedings. For the year 2012, the County requested service over 4,000 times in connection with Family Court proceedings. Due to the large volume of work, this service is best handled through an outside vendor as the Law Department does not have sufficient staff to cover this work. In addition, since the volume of services required varies on a daily basis, it is more fiscally prudent for the County to contract with an outside vendor rather than creating additional

in-house staff positions sufficient in number to handle peak volume periods. Process servers are, on occasion, also required to testify in court. By utilizing an outside vendor, the County avoids having to defend the actions of its own employees in court in connection with service of process. By having such a contract in place, the Law Department is able to carry out its statutory duties in the Family Court and protect the health, safety and welfare of the men, women and children who are protected by the County's actions in the Family Court. The performance of Inter County under this contract will be monitored by the Law Department staff and staff of the Department of Social Services to ensure compliance with contract terms.

Accordingly, attached for your consideration is a Resolution which, if approved, would authorize the County to award and enter into a contract with Inter County for the service of legal documents in all Family Court Proceedings for the period commencing August 1, 2013 and terminating July 31, 2015, at the rates set forth in the attached Resolution.

RFM/dm  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/01/2013 JOMAR VILLERIE SECRETARY

## RESOLUTION

Upon a communication from the County Attorney, be it hereby

**RESOLVED**, that the County of Westchester is authorized to award and enter into a contract for the service of legal documents in all Family Court Proceedings with the low bidder, Inter County Judicial Service, LLC, for a two year period commencing August 1, 2013 and terminating July 31, 2015, in an amount not to exceed \$211,479.00 per year (for a total contract amount not to exceed \$422,958.00), payable at the rates set forth on the attached Bid Sheets; and be it further

**RESOLVED**, that this Agreement is subject to annual 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 budget of the State of New York and/or the adoption of the State Budget or any amendments thereto, and after the County has a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of 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 such 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 is hereby authorized to execute any and all instruments and take all actions necessary to accomplish the purpose hereof.

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars	
101	18	1000	4923		\$ 88,116.26	2013
101	18	1000	4923		\$211,479.00	2014
101	18	1000	4923		\$123,362.74	2015

Budget Funding Year(s) 2013-2015 Start Date: 8/1/13  
 (must match resolution)

End Date: 7/31/15

Funding Source: Tax Dollars \$422,958.00 Contractor Federal I.D. No./  
 Social Security No.: \_\_\_\_\_  
 State Aid \_\_\_\_\_  
\$422,958.00 Federal Aid \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_ Encumbrance No.: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/08/2013 - JOMAR S. SECRETARY

**CONTRACT LAW #921  
Service of Process in Family Court Proceedings**

**Bids received Wed., June 19, 2013 11:00 a.m.**

NAME, ADDRESS, PHONE, FAX	BID CHECK K	AMOUNT OF BID
<b>Dominion Temps, Inc</b>		
<b>EG Bodyworks, LLC</b>		
<b>Gardens General Engineering, Inc.</b>		
<b>Inter County Judicial Services LLC</b> 29 locust Avenue Rye, NY 10580 (914) 921-0649	2	\$211,479/yr.
<b>La Palabra Court Reporting</b>		
<b>Nationwide Court Services, Inc.</b> 761 Kochler Avenue Ronkonkama, NY 11779 (631) 981-4400	3	\$426,340/yr.
<b>Pri*Con Adjusters and Investigators</b>		
<b>Irede Process Servers, Inc.</b> 445 Broad hollow Road, Suite 25 Melville, NY 11747 (516) 524-5030	1	\$104,472/yr.

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/08/2013 - JOMARY NEIRA, SECRETARY

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/08/2013 - JOMARY VIEIRA, SECRETARY