

41332

To: Board of Acquisition and Contract

From: Natasha Caputo
Director of Tourism & Film

Date: July 15, 2014

Re: Authority to enter into an agreement with Cvent, Inc. (“Cvent”) pursuant to which Cvent will grant the County a license to use Cvent’s Supplier Network website to promote Westchester County as tourist destination for business and group meetings travel for a one (1) year term commencing August 1, 2014 and continuing through July 31, 2015 for a total aggregate license fee not-to-exceed \$4,294.

Authority is requested for the County of Westchester (the “County”), acting by and through the Westchester County Office of Tourism & Film (“OTF”), to enter into an agreement with Cvent, pursuant to which Cvent will grant the County a non-exclusive, non-transferable license to access and use Cvent’s Supplier Network website (the “License”) to transmit RFPs, bid responses and related communications among meeting and event planners and suppliers in order to promote Westchester County as a tourist destination for business and group meetings travel, for a one (1) year term commencing August 1, 2014 and continuing through July 31, 2015 (the “Agreement”). In consideration for the granting of the License, the County will pay Cvent a total license fee not-to-exceed \$4,294 and an amount not-to-exceed \$4,294.

It should be noted that pursuant to the terms of the Agreement, the County, to the extent permitted by law, will be required to defend, indemnify and hold Cvent harmless from and against all claims, damages, liabilities, fines, costs and expenses including reasonable legal fees incurred by Cvent or which are agreed by Cvent to be paid by way of settlement or compromise, arising out of any third party claim due to a breach by the County of any of the representations and warranties made under the Agreement or any violation of applicable law.

The Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) iv thereof which exempts contracts for advertising.

This Agreement will serve a public purpose by promoting tourism in Westchester County, thus helping to stimulate the local economy.

The goals and objectives of the Agreement will be to promote tourism in Westchester County. The goals and objectives are in the best interests of the County in terms of fiscal responsibility because tourism promotion will increase tourism in the county and bring more tourist dollars into the local economy. The goals and objectives will be tracked and monitored by OTF through the number of inquires and leads.

Accordingly, I most respectfully recommend approval of the attached resolution.

NC/JPG/nm

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/07/2014 - JONARY VIERI, SECRETARY

RESOLUTION

Upon a communication from the Director of Tourism & Film, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement with Cvent, Inc. ("Cvent") pursuant to which Cvent will grant the County a non-exclusive, non-transferable license to access and use Cvent's Supplier Network website (the "License") to transmit RFPs, bid responses and related communications among meeting and event planners and suppliers in order to promote Westchester County as a tourist and business travel destination, for a one (1) year term commencing August 1, 2014 and continuing through July 31, 2015 (the "Agreement"); and be it further

RESOLVED, that in consideration for the granting of the License, the County will pay Cvent a total license fee not-to-exceed \$4,294 for the License and an amount not-to-exceed \$4,294; and be it further

RESOLVED, that pursuant to the terms of the Agreement, the County, to the extent permitted by law, shall defend, indemnify and hold Cvent harmless from and against all claims, damages, liabilities, fines, costs and expenses including reasonable legal fees incurred by Cvent or which are agreed by Cvent to be paid by way of settlement or compromise, arising out of any third party claim due to a breach by the County of any of the representations and warranties made under the Agreement or any violation of applicable law; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	263	11	0720	4250			\$4,294

Budget Funding Year(s) _____ Start Date 8-1-14 End Date 7-31-15
 (must match resolution)

Funding Source Tax Dollars: Hotel Occupancy Tax
 State Aid _____ -0- _____
\$4,294 Federal Aid _____ -0- _____
 (must match resolution) Other _____