



Office of the District Attorney  
County of Westchester

MEMORANDUM

43422

Date: November 21, 2014

To: The Honorable Board of Acquisition and Contract

From: Janet DiFiore,  
District Attorney

Re: **Resolution authorizing the County of Westchester, acting by and through its District Attorney's Office, to enter into an agreement with West, a Thomson Reuters business, for the provision of computer-assisted legal and general research services including printed materials for a three (3) year period commencing January 1, 2015 and terminating December 31, 2017, for a total amount not-to-exceed \$170,727.00, subject to County appropriations and payable pursuant to an approved budget.**

Transmitted herewith is a resolution which, if approved by your Honorable Board, will authorize the County of Westchester, acting by and through its District Attorney's Office (the "County") to enter into an agreement with West, a Thomson Reuters business ("West"), for the provision of computer-assisted legal and general research services including printed materials for a three year period commencing January 1, 2015 and terminating December 31, 2017, for a total amount not-to-exceed \$170,727.00, subject to County appropriations and payable pursuant an approved budget.

The goals and objectives of this proposed agreement are to provide the District Attorney's Office access to comprehensive and current legal information, in printed and electronic formats, grouped into specialized libraries and standard research files in connection with the legal representation of the County in various criminal matters. This information includes, without limitation, federal and state case law; certain specialty libraries; legislative material; state and federal sources; opinions; statutes; law review articles; legal treatises and other secondary sources; news sources and all New York public records. Said access will be provided to thirty (30) users in the Appeals Bureau with an additional (30) passwords for this high level access, for a total of (60), and one hundred (100) Trial Attorneys with an additional (100) passwords for this secondary level access, for a total of (200).

The District Attorney's Office sought presentations from LexisNexis and West for the purpose of comparing both companies online legal research applications. For our purposes, the District Attorney's Office found the West product to be superior in that it is easier to use, pulls up searches quicker and can furnish bill jackets, as needed. These important features, along with the fact that West is significantly less expensive than LexisNexis, compel this Office to purchase this important service from West.

Pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, where this Honorable Board determines, by resolution passed prior to the commencement of procurement, that compliance with the Westchester County Procurement Policy would not be in the best interests of the County, the requirements of the policy may be waived. By resolution duly submitted to your

Honorable Board of even date herewith, it has been requested that you determine that compliance with the procedures of the County's Procurement Policy is not in the best interests of the County.

I believe it is in the best interest of the County to enter into the within described agreement. Accordingly, I recommend that your Honorable Board approve the annexed proposed Resolution authorizing the agreement with West for computer assisted legal and general research services.

This Agreement also meets the County Executive's Critical Priority Area of Fiscal Responsibility because, for the District Attorney's needs, these services are significantly less expensive than West's main competitor, LexisNexis. It is imperative for this resolution to be approved to ensure that the legal staff of the District Attorney's Office has access to the most up-to-date information regarding current laws, law reviews and journals, news, annotated statutes, citations, etc. It is integral for a staff of Assistant District Attorneys in today's electronic era to have access to these materials in order to fulfill their professional responsibilities and thereby properly protect the rights and safety of the taxpayers of Westchester County.

JD/jpi

APPROVED BOARD OF ACQUISITION & CONTRACTS  
20110904 - HONORARY SECRETARY

## RESOLUTION

Upon a communication from the District Attorney, be it hereby

**RESOLVED**, that the County of Westchester (the "County"), acting by and through its District Attorney's Office be, and hereby is, authorized to enter into an agreement with West, a Thomson Reuters business, for the provision of computer-assisted legal and general research services including printed materials for a three (3) year period commencing January 1, 2015 and terminating December 31, 2017, for a total amount not-to-exceed \$170,727.00, payable pursuant an approved budget; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations. 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.

**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	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2015	101	37		4420 /2300		\$55,693
2016	101	37		4420 /2300		\$56,890
2017	101	37		4420 /2300		\$58,144

Budget Funding Year(s) Start Date 1/1/2015 End Date: 12/31/2017  
 (must match resolution)

Funding Source Tax Dollars \$170,727.00  
 State Aid 0  
\$170,727.00 Federal Aid 0  
 (must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/11/2014 - JOMARY VIEIRA, SECRETARY