



Office of the District Attorney
County of Westchester

MEMORANDUM

46213

Date: April 16, 2015

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 amend an agreement with Lexis Nexis, a Reed Elsevier, Inc. business ("Lexis Nexis"), for the provision of computer-assisted research services in order to extend the termination date from February 28, 2015 to May 31, 2018, and to increase the not-to-exceed amount of the agreement by \$4,996.00 for a total new amount not-to-exceed amount of \$9,280.00, subject to County appropriations and payable pursuant to an approved budget.**

On April 5, 2012, you Honorable Board authorized the County to enter into an agreement (the "Agreement") with Lexis Nexis, a Reed Elsevier, Inc. business ("Lexis Nexis"), for the provision of computer assisted research services for a three (3) year period commencing March 1, 2012 and terminating February 28, 2015, for a total amount not-to-exceed Four Thousand Two Hundred Eighty-Four Dollars (\$4,284.00).

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 amend the Agreement with Lexis Nexis in order to extend the termination date from February 28, 2015 to May 31, 2018 and to increase the not-to-exceed amount of the agreement by \$4,996.00 for a total new amount not-to-exceed \$9,280.00, subject to County appropriation and payable pursuant an approved budget

The services provided pursuant to this agreement will provide a public purpose by allowing access from one (1) vendor to news and archived news items. It is imperative to ensure that the legal staff of the District Attorney's Office has access to the most up-to-date information regarding news and archived news items. 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.

The goals and objectives of this proposed agreement are to provide access to comprehensive and current news and archived news items in electronic formats. This information includes, without limitation, all news sources. Said access will be provided to one (1) user in the Communications Division. The goals and objectives will be tracked and monitored through the Communications Unit on a daily basis, as this Unit must access news every day.

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 prior resolution duly adopted by your Honorable Board of even date herewith, it was determined that compliance with the procedures of the County's Procurement Policy was not in the best interests of the County. This amendment is therefore exempt under Section 3(a)(xxi) of the County's Procurement Policy.

I believe it is in the best interest of the County to enter into the within described amendment to the Agreement. Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

JD/jpi

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/07/2015 - HONORARY CLERK 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 amend an agreement with Lexis Nexis, a Reed Elsevier, Inc. business ("Lexis Nexis"), for the provision of computer-assisted research services to extend the termination date from February 28, 2015 to May 31, 2018, and to increase the not-to-exceed amount of the agreement by \$4,996.00 for a total new amount not-to-exceed \$9,280.00, 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	0010	4420		\$1,253
2016	101	37	0010	4420		\$1,536
2017	101	37	0010	4420		\$1,554
2018	101	37	0010	4420		\$ 653

Budget Funding Year(s) Start Date: 3/1/2015 End Date: 5/31/2018
(must match resolution)

Funding Source Tax Dollars \$4,996
State Aid _____
\$ 4,996 Federal Aid _____
(must match resolution) Other _____