



**Office of the District Attorney
County of Westchester**

MEMORANDUM

46214

Date: April 16, 2015

To: Honorable Board of Acquisition & Contract

From: Janet DiFiore,
District Attorney

Re: **Resolution to exempt from the Westchester County Procurement Policy an amendment to an agreement between the County of Westchester, acting by and through its District Attorney's Office and Lexis Nexis, a Reed Elsevier, Inc. business, for the provision of computer-assisted research services, pursuant to Section 3(a)xxi of the Westchester County Procurement Policy.**

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an amendment to an agreement (the "Original 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, subject to County appropriation and payable pursuant an approved budget. It should be noted that on April 5, 2012, your Honorable Board exempted the Original Agreement between the parties from the Westchester County Procurement Policy.

Ordinarily, under Section 5(a) of the Procurement Policy, the County is required to solicit written or oral quotations from no fewer than three (3) firms customarily providing the required services. However, in the past, the District Attorney's Office has subscribed to Lexis Nexis and West, the two (2) primary on-line research companies in the United States, for the purpose of comparing both companies' online legal research applications. For the specific purpose regarding news and archived news items, the District Attorney's Office (the "Office") found the Lexis Nexis product to be superior to the West product in that it enables access to all necessary news items. This important feature compels this Office to purchase this important service from Lexis Nexis since it is imperative to ensure that the Communications staff of the District Attorney's Office has access to the most current news and all archived news items.

Pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which this Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best

interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting this procurement from the procedures of the County's Procurement Policy. A resolution to exempt this agreement from procurement is hereby submitted for your consideration.

JD/jpi

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/07/2015 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the District Attorney, be it hereby

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, it is determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient and accordingly not in the best interests of the County in connection with the procurement of an amendment to an agreement with Lexis Nexis, a Reed Elsevier, Inc. business, for the provision of computer-assisted research services.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/07/2015 - SOMMA VIERA, SECRETARY