

49826

To: Board of Acquisition and Contract

From: John B. McCaffrey
Chief Information Officer
Department of Information Technology

Date: December 02, 2015

Re: **Resolution authorizing the County of Westchester (the "County"), Department of Information Technology ("DoIT") to enter into an agreement (IT-1377) with the New York State Industries for the Disabled, Inc. ("NYSID") pursuant to which NYSID will provide data imaging services for the Archives Division of the Department of Information Technology (DoIT) for a term commencing January 1, 2016 and ending on June 30, 2016 for an amount not to exceed \$24,250 subject to appropriations and authorizing the use of Imaging and Microfilm Access as a subcontractor.**

Attached for your consideration is a Resolution, which if approved, will authorize the County to enter into an agreement with NYSID to provide data imaging services for a term of six months commencing on January 1, 2016 and terminating on June 30, 2016, for an amount not to exceed \$24,250, subject to appropriations.

DoIT has been notified that it has been awarded a grant from the New York State Department of Education's Local Government Records Management Improvement Fund. The grant, Project Number 0580-16-6019, for the period July 1, 2015 to June 30, 2016, will provide up to \$34,440 in funding to be used for a Document Conversion and Access Project to digitally image property acquisition maps, real estate files, and index cards that are historically significant and used regularly for litigation purposes and when conducting County real estate transactions. The grant award will allow the County Archives to enter into a contract with Imaging and Microfilm Access, Inc. (IMA) in an amount up to \$24,250 to perform the required scanning services. The County will be reimbursed in accordance with an approved budget. No County match is required for this grant.

State Finance Law 162 exempts the procurement of certain products and services from competitive procurement provisions, and requires the County to give designated preferred sources an opportunity to provide these commodities or services. Among services subject to this exemption is the provision of data imaging services for which NYSID is a preferred source. NYSID is a not-for-profit organization established in 1976 by the New York State Commissioner of Education to act as the central coordinator for member organizations, which serve people with severe disabilities, by making them eligible for state contracts as preferred sources. As of today,

approximately 137 rehabilitation agencies are certified for NYSID membership. Imaging and Microfilm Access, 150 Knickerbocker Ave., Bohemia, New York 11716, is such a member agency.

The County has reviewed the information provided by NYSID and determined that the services are available in the “form, function and utility” required by the County. The County must use a preferred provider as long as the price for the services does not exceed 15% of the fair market price for such services as determined by the New York State Office of General Services (“OGS”). OGS, as required by regulation, has determined that the fee to be paid under this contract is reasonable based on the applicable Prevailing Wage Schedule as set by the New York State Commissioner of Labor and taking into account the provisions of the Westchester County Living Wage Law.

NYSID will perform the data imaging services by using Imaging and Microfilm Access, as a subcontractor. The use of Imaging and Microfilm Access and the population it serves, individuals with disabilities as a subcontractor on this contract is exactly the arrangement that was envisioned when NYSID was set up and the preferred source procurement was adopted.

NYSID has provided services to the County for a number of years and currently has other contracts with the County.

As NYSID is identified as a preferred source for providing data imaging services, this agreement is exempt from statutory competitive procurement requirements including the Westchester County Procurement Policy.

This contract will serve a public purpose by increasing public access Archival collections through digitization and streamlining records searches for the public and county employees. Further, being to the ability to access digital images will reduce future wear and tear on the records through handling, and eliminate risk of loss from misfiling or loss by disaster or theft.

A Resolution for your consideration is annexed hereto. I recommend your favorable consideration of the annexed proposed Resolution.

JMB/cg
Attachment

RESOLUTION

Upon a communication from the Chief Information Officer, be it hereby

RESOLVED, that the County of Westchester is authorized to enter into an agreement (IT-1377) with New York State Industries for the Disabled, Inc. ("NYSID"), to digitally image property acquisition maps, real estate files, and index cards that are historically significant and used regularly for litigation purposes and when conducting County real estate transactions in order to reduce future wear and tear on the records through handling, and eliminate risk of loss from misfiling or loss by disaster or theft; and be it further

RESOLVED, that the agreement shall commence on January 1, 2016 and terminate on June 30, 2016; and be it further

RESOLVED, that for the above-described services NYSID shall be paid an amount not to exceed \$24,250.00; and be it further

RESOLVED, that Imaging and Microfilm Access, 150 Knickerbocker Ave., Bohemia, New York 11716, is approved as a subcontractor; and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED, that the 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 the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Consultant, then the Consultant shall have the right to terminate the Agreement upon reasonable prior written notice; 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.

John B. McCaffrey
Chief Information Officer

Account to be Charged/Credited
IT-1377

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
263	16	518Q	4420	T518	\$24,250.00

Budget Funding Year(s) : 2016 Start Date: 01-01-2016 End Date: 06-30-2016
(must match resolution)

Funding Source: Tax Dollars _____

State Aid \$24,250.00

Federal Aid _____

\$ 24,250.00 (must match resolution)

Contractor Federal I.D. No./
Social Security No.: _____

Vendor No.: _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 01/07/2016 - JOAN COCCIARDI, SECRETARY