



Robert P. Astorino  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

**50009**

DATE: December 11, 2015

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Kevin M. McGuire  
Commissioner, Department of Social Services

SUBJECT: Authority for the County of Westchester, by and through its Department of Social Services, to enter into an agreement with Experian Information Solutions, Inc. for the provision of consumer credit reports in an amount not to exceed \$6,500 for the period January 1, 2016 through December 31, 2016 payable according to a fixed price schedule

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Authority is requested for the County of Westchester (the "County"), acting by and through its Department of Social Services (the "Department"), to enter into an agreement with Experian Information Solutions, Inc. ("Experian"), for the provision of consumer credit reports to assist the Department's Office of Child Support Enforcement so that the Department can track persons who are delinquent in child support obligations. This information is used to bring these persons to court in order to obtain payments and seize assets. The Agreement shall be in an amount not to exceed \$6,500 for the period from January 1, 2016 through December 31, 2016 and payable according to a fixed price schedule (the "Agreement").

In order to enter into the Agreement, Experian has requested that the County "indemnify, defend and hold harmless Experian from and against any and all claims and expenses, including reasonable attorney fees, which may be asserted against or incurred by Experian, based upon the use by County of the Services or other information furnished by Experian for purposes not permitted by law."

The proposed Agreement with Experian is necessary so that the County can comply with

New York State legislation that charges the County with the responsibility of tracking those persons who are delinquent in child support obligations.

The proposed Agreement will serve a public purpose by providing the County with assistance in tracking delinquent child support obligors.

The goals and objectives of the proposed Agreement shall be to provide the County with assistance in tracking delinquent child support obligors and bringing same to court to obtain payments, and seize assets to satisfy these delinquencies.

The goals and objectives of the proposed Agreement are in the County's best interest regarding fiscal responsibility so that child support payments are obtained for children who are entitled to these payments and therefore lessening their dependence on public assistance.

The goals and objectives of the proposed Agreement shall be tracked and monitored by the Department.

In order to comply with the County Procurement Policy, the Department solicited price quotations from three service providers: Experian, Equifax and TransUnion, with Experian providing the lowest price quotation.

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

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

## RESOLUTION

Upon a communication from the Commissioner of Social Services, be it hereby

**RESOLVED**, that the County of Westchester (the "County"), acting by and through its Department of Social Services (the "Department"), is hereby authorized to enter into an agreement with Experian Information Solutions, Inc. ("Experian"), for the provision of consumer credit reports to assist the Department's Office of Child Support Enforcement in tracking persons who are delinquent in child support obligations so that these obligors can be brought to court to obtain payments and seize assets to satisfy these delinquent child support obligations for the term from January 1, 2016 and continuing through December 31, 2016 in a not to exceed amount of \$6,500; and be it further

**RESOLVED**, that pursuant to the Agreement, the county shall "indemnify, defend and hold Experian harmless from and against any and all claims and expenses, including reasonable attorney fees, which may be asserted or incurred by Experian, based upon the use by the County of the Services or other information furnished by Experian for purposes not permitted by law"; and be it further

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

**RESOLVED**, that 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; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

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Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	22	8900	4420	-----	\$6,500

Budget Funding Year(s): 2016  
(must match resolution)

Start Date: 01/01/16

End Date: 12/31/16

Funding Source

Tax Dollars: 100%

State Aid:

**\$6,500**

Federal Aid:

(Must match resolution)

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT 01/07/2016 - JOMACCIARDI, SECRETARY