

**51314**

Date: March 1, 2016

To: Board of Acquisition and Contract

From: George N. Longworth  
Commissioner - Sheriff  
Department of Public Safety

John B. McCaffrey  
Chief Information Officer  
Department of Information Technology

Re: Resolution authorizing the County of Westchester, acting by and through its Department of Public Safety Services, to amend a License Agreement with West Publishing Corporation ("West") for use of its Consolidated Lead Evaluation and Reporting ("CLEAR") system for a three year term commencing January 1, 2014 and continuing through December 31, 2016 for an amount not-to-exceed \$143,737.93, in order to 1) expand the scope of services during the third and final year of the Agreement to include the CLEAR ProFlex platform; and 2) increase the monthly contract amount for the third year of the Agreement from \$4,072.04 per month to \$5,100.00 per month to compensate West for the additional service component, thereby increasing the total aggregate not-to-exceed amount under the Agreement by an additional \$12,335.52, from an amount not-to-exceed \$143,737.93 to a new total amount not-to-exceed \$156,072.45.

By resolution approved on October 24, 2013, your Honorable Board authorized the County of Westchester (the "County"), acting by and through the Department of Public Safety (the "Department"), to enter into a License Agreement with West Publishing Corporation ("West") for use of West's CLEAR system for the term January 1, 2014, through December 31, 2016, in an amount not-to-exceed \$143,737.93, payable at the flat monthly rate of \$3,913.92 for the first year; \$3,992.20 for the second year; and \$4,072.04 for the third year (the "Agreement"). The Agreement was subsequently executed.

During the third and final year of the Agreement, the Department desires to increase the capacity of its CLEAR system database to include West's CLEAR "ProFlex" component. This component will expand the CLEAR platform to increase analytical ability, including alerting, geofencing, and enhanced incarceration capabilities. In consideration for adding the ProFlex component to the platform, the County will pay West an additional fee of \$1,027.96 per month for

the last 12 months of the contract, thereby increasing the monthly fee from \$4,072.04 to \$5,100.00. The total not-to-exceed amount under the Agreement will therefore also be increased by an additional \$12,335.52, from an amount not-to-exceed \$143,737.93 to an amount not-to-exceed \$156,072.45

Accordingly, authority is hereby requested for the County, acting by and through the Department, to amend the License Agreement with West for use of West's CLEAR system for the term January 1, 2014, through December 31, 2016, in order to 1) expand the scope of services during the third and final year of the Agreement to include the CLEAR ProFlex platform; and 2) increase the monthly contract amount for the third year of the Agreement from \$4,072.04 per month to \$5,100.00 per month to compensate West for the additional service component, thereby increasing the total aggregate not-to-exceed amount under the Agreement by an additional \$12,335.52, from \$143,737.93 to a new total amount not-to-exceed \$156,072.45.

Except as otherwise specifically amended hereby, all remaining terms and conditions of the Agreement will remain in full force and effect.

CLEAR connects investigators to a comprehensive and current collection of public and proprietary records delivered through an easy-to-use interface that was designed and developed specifically for government and law enforcement needs.

This Agreement will serve a public purpose by allowing Department members to receive consistent and timely information of the status of various individuals for investigative purposes.

The goals and objectives of this program are to allow investigators to complete in a timely manner thorough criminal and background investigations by analyzing data pertaining to suspects of criminal activity, wanted subjects, pistol license applicants, Taxi and Limousine Commission license applicants, police officer applicants, and homeland security investigations.

The goals and objectives of this program will support the public health, safety and/or welfare by obtaining accurate and up to date information which allows investigators to more quickly identify and locate suspects of criminal activity and remove them from the streets of Westchester County.

The goals and objectives of this program will be tracked and monitored by reviewing the program on an ongoing basis for the duration of the contract. The commanding officers of the various units that utilize CLEAR will conduct periodic case reviews during which feedback will be gathered regarding the effectiveness of the program. In addition, the goals and objectives will be met by the vendor by placing a number of personal records that meet the needs of Department investigators into a single database system that can be accessed by investigators from multiple computer terminals within the Department.

The CLEAR system is a unique compilation of data, and West is the sole provider of this service. As such, the subject procurement qualifies as a sole source procurement pursuant to Section 9 of the Westchester County Procurement Policy.

GNL/JBM/jpg

**RESOLUTION**

Upon a communication from the Commissioner - Sheriff, Department of Public Safety, and the Chief Information Officer, Department of Information Technology, be it hereby

**RESOLVED**, that the County of Westchester, acting by and through its Department of Public Safety Services, is authorized to amend a License Agreement with West Publishing Corporation (“West”), for use of West’s CLEAR system for the term January 1, 2014, through December 31, 2016 for an amount not-to-exceed \$143,737.93, in order to: 1) expand the scope of services during the third and final year of the Agreement to include the CLEAR ProFlex platform; and 2) increase the monthly contract amount for the third year of the Agreement from \$4,072.04 per month to \$5,100.00 per month to compensate West for the additional service component, thereby increasing the total aggregate not-to-exceed amount under the Agreement by an additional \$12,335.52, from \$143,737.93 to a new total amount not-to-exceed \$156,072.45; and be it further.

**RESOLVED**, that as West is the sole provider of this service, the subject procurement qualifies as a sole source procurement pursuant to Section 9 of the Westchester County Procurement Policy; and be it further

**RESOLVED**, that except as otherwise specifically amended hereby, all remaining terms and conditions of the Agreement will remain in full force and effect.

**RESOLVED** that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Dollars
2016	101	38	2000	4380	\$12,335.52

Budget Funding Year(s) Current Start Date January 1, 2016 End Date December 31, 2016  
 (must match resolution)

Funding Source Tax Dollars \$12,335.52  
 State Aid \_\_\_\_\_  
\$12,335.52 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_