



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

52054

DATE: May 17, 2016

TO: Board of Acquisition and Contract

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

John B. McCaffrey
Chief Information Officer, Department of Information Technology

RE: Authority for the County of Westchester to amend an agreement with LexisNexis Risk Solutions FL Inc. for assistance in conducting enhanced background screenings of those applying for child care, child support, Medicaid, the Supplemental Nutrition Assistance Program, and Temporary Assistance through the provision of its Accurint system, in order to, a.) specify a new termination date of July 31, 2016, b.) clarify the precise services to be provided through the new termination date, and c.) increase the authorized not-to-exceed amount by \$5,400 to a new amount not-to-exceed \$110,700 in order to pay for services through the new termination date.

The County of Westchester (the "County") and LexisNexis Risk Solutions FL Inc. ("LexisNexis") executed an agreement ("DSS642-13") based upon authority from a resolution approved by your Honorable Board on March 21, 2013, which specified that LexisNexis was to provide the County with assistance in conducting enhanced background screenings of those applying for child care, child support, Medicaid, the Supplemental Nutrition Assistance Program, and Temporary Assistance through the provision of LexisNexis's Accurint system, a data repository of public records and commercially available information, for an amount not to exceed \$97,200, to be paid pursuant to an approved budget, for the period from March 1, 2013 through February 28, 2016.

Subsequently, by authority from a resolution approved by your Honorable Board on March 31, 2016 (the "March 31st Resolution"), the County amended DSS642-13 by, a.)

specifying a new termination date of May 31, 2016, b.) clarifying the precise services to be provided through the new termination date, and c.) increasing the authorized not-to-exceed amount by \$8,100, to a new amount not-to-exceed \$105,300, in order to pay for services through the new termination date.

As explained in the March 31st Resolution, the Department of Social Services (“DSS”) was in the process of preparing and issuing a request for proposals (“RFP”) for the above-described services. DSS subsequently issued that RFP on April 19, 2016, with proposals being due on May 6, 2016. After careful review, the County decided to exercise its right to not seek to enter into an agreement based on that RFP. Due to issues highlighted by, and inconsistencies found in, the proposals the County received, the County has decided to revise the RFP and issue a new one. However, the procurement of a new contract for the above-described services through that revised RFP will not be concluded before the authorized term of DSS642-13, as amended, ends on May 31, 2016.

Therefore, in order to avoid the exigency that would be caused by interrupting the County’s receipt of the above-described services until the conclusion of the new RFP process, authority is respectfully requested from your Honorable Board for the County to amend DSS642-13, as amended, by, a.) specifying a new termination date of July 31, 2016, b.) clarifying the precise services to be provided through the new termination date, and c.) increasing the authorized not-to-exceed amount by \$5,400, to a new amount not-to-exceed \$110,700, in order to pay for services through the new termination date.

Except as specifically amended hereby, all remaining terms and conditions set forth in DSS642-13, as amended, shall remain in full force and effect.

The proposed amendment will serve a public purpose by enabling the County to continue receiving assistance in the detection and prevention of fraud in various public programs.

The goal and objective of the proposed amendment is to enable the County to continue receiving assistance in the detection and prevention of fraud in various public programs.

The goal and objective of the proposed amendment is in the best interests of the County in terms of fiscal responsibility, as the County continuing to receive the above-described assistance will ensure that the County has access to useful tools designed to help reduce fraud and waste in various public programs.

The goal and objective of the amendment will be monitored by the staff of DSS.

This procurement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)(xi) thereof, which exempts “any procurement made pursuant to procurement procedures provided for under any other federal or state law applicable to such procurement.” Specifically, the procurement complies with 45 C.F.R. 75.329(f), based upon sub-section (2) thereof, (formerly, 45 C.F.R. 92.36(d)(4)(i)(B)), for the reasons described above.

I respectfully recommend the adoption of the attached resolution.

KMM/EC/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/09/2016 - LISA MRIJAJ, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, and the Chief Information Officer, Department of Information Technology, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an agreement with LexisNexis Risk Solutions FL Inc. ("LexisNexis"), pursuant to which LexisNexis was to provide the County with assistance in conducting enhanced background screenings of those applying for child care, child support, Medicaid, the Supplemental Nutrition Assistance Program, and Temporary Assistance through the provision of LexisNexis's Accurint system ("DSS642-13, as amended") by, a.) specifying a new termination date of July 31, 2016, b.) clarifying the precise services to be provided through the new termination date, and c.) increasing the authorized not-to-exceed amount by \$5,400, to a new amount not-to-exceed \$110,700, in order to pay for services through the new termination date; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions set forth in DSS642-13, as amended, shall remain in full force and effect, and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to effectuate the purposes hereof.

DSS642-13 (as amended)

Original Agreement: \$ 97,200
First Amendment: \$ 8,100
This Amendment: \$ 5,400
Total \$110,700

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2016	101	22	4000	4420	-----	\$5,400

Budget Funding Year(s): 2016 Start Date: N/A End Date: 07/31/16
(must match resolution)

Funding Source Tax Dollars: 61%
State Aid: 0%
\$5,400 Federal Aid: 39%
(must match resolution) Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/09/2016 - LISA MRIJAJ, SECRETARY