

Robert P. Astorino
County Executive

Department of Finance

Ann Martie Berg
Commissioner

52598

Date: August 24, 2016

To: The Honorable Board of Acquisition and Contract

From: Ann Marie Berg
Commissioner of Finance

Re: Resolution authorizing the County of Westchester to exercise an option to extend an Agreement with TALX Corporation, a provider of Equifax Workforce Solutions, to provide necessary software and services to the County for compliance with the Affordable Care Act's employer mandates, for one year commencing August 1, 2016 through July 31, 2017, for an amount not-to-exceed \$45,000.

By resolution approved on July 23, 2015 (the "July 23rd Resolution") your Honorable Board authorized the County of Westchester, acting by and through the Department of Finance (the "Department"), to enter into an agreement with TALX Corporation, a provider of Equifax Workforce Solutions ("EWS"), a Missouri corporation, pursuant to which EWS agreed to provide the necessary software and services to the County for compliance with the Affordable Care Act's employer mandates, for the period August 1, 2015 through July 31, 2016, for an amount not-to-exceed \$50,000 ("Agreement"). The July 23rd Resolution further authorized the County to extend the term of the Agreement for two additional one-year periods for amount not-to-exceed \$40,000 per year, payable pursuant to agreed fee schedules.

The County desires to exercise its option to extend the Agreement and also to increase the not-to-exceed authorized in the July 23rd Resolution from \$40,000 to \$45,000. The increase is being requested to cover costs for the option year and is based on the services experienced over the initial contract period. Accordingly, the attached Resolution, if approved by your Honorable Board, will authorize the County to exercise its first option under the Agreement to extend the term for the period commencing August 1, 2016 through July 31, 2017, and increase the contract amount for the first option period from \$40,000 to an amount not-to-exceed \$45,000, payable pursuant to an approved rate schedule, increasing the total contract amount not-to-exceed to

Ninety Five Thousand (\$95,000.00) Dollars. Except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect.

The goal and objective of the Agreement is to ensure that the County has the proper software and services to meet the reporting requirement of the Affordable Care Act's employers mandates and is in the best interest of the County in terms of fiscal responsibility as it will avoid potential significant penalties by being in compliance with the Affordable Care Act's employer mandates. During the extended term of the Agreement, Department representatives will track and monitor the required services.

I believe it is in the best interest of the County to extend the term of the above-described Agreement. Accordingly, I recommend that your Honorable Board approve the annexed proposed Resolution.

AMB/TSA
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/25/2015 LISA M. SAJOS SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Finance, be it hereby

RESOLVED, that the County of Westchester (“County”) is authorized to exercise the first of two options to extend the term of its agreement with TALX Corporation, a provider of Equifax Workforce Solutions (“EWS”), a Missouri corporation, pursuant to which EWS agreed to provide the necessary software and services to the County for compliance with the Affordable Care Act’s employer mandates, for the one-year period commencing August 1, 2016 through July 31, 2017; and be it further

RESOLVED, that the contract amount for the first option period is hereby increased from \$40,000 to \$45,000, payable pursuant to an approved rate schedule, and the total contract amount for the initial contract period and the first option year will be an amount not-to-exceed to Ninety Five Thousand (\$95,000.00) Dollars; and be it further

RESOLVED, that all other terms and conditions of the agreement shall remain in full force and effect; 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 authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Original Agreement \$ 50,000.00
 First Amendment \$ 45,000.00
 TOTAL \$ 95,000.00

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
617	61	0010	1680	N/A	45,000

Budget Funding Year(s)
 (must match resolution)

2016-2017

Start Date 08/01/16

End Date: 7/31/17

Funding Source

Tax Dollars _____
 State Aid _____
 Federal Aid _____
 Other _____

\$45,000

(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/25/2016 - LISA MRIJAJ, SECRETARY