

53553

Date: November 23, 2016

To: Board of Acquisition and Contract

From: Daniel D. Angiolillo
Executive Director, Solid Waste Commission

Re: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, an amendment to an agreement with West Publishing Corporation, pursuant to which it was to provide the County with computer-assisted legal and general research services.

By a resolution approved on September 5, 2013, your Honorable Board exempted from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, the procurement by the County of Westchester (the "County") of a Subscriber Agreement (the "Agreement") with West Publishing Corporation ("West"), pursuant to which West was to provide the County with on-line computer assisted legal and general research services for the Solid Waste Commission, for a three (3) year period from October 1, 2013 through September 30, 2016, for a total amount not-to-exceed \$37,800.00. The Agreement was subsequently executed.

The County has recently learned that, due to West's terms in the Agreement and its handling of the execution of the Agreement, through which a no-cost, first 'bridge' month was provided to the County, the term of the Agreement should, in fact, have been October 1, 2013 through October 31, 2016.

The County has also recently learned that, due to an oversight, the not-to-exceed amount authorized by your Honorable Board in the September 5, 2013 resolution was incorrect, as it did not take into consideration the fact that the Agreement was to include annual three percent (3%) increases in the monthly rate for the services to be provided by West.

Therefore, the County is seeking, by a separate resolution that has been submitted to your Honorable Board of even date herewith, to amend the Agreement by, 1.) changing the term thereof from October 1, 2013 through September 30, 2016 to October 1, 2013 through October 31, 2016, and 2.) changing the not-to-exceed amount thereof by increasing it by \$1,130.51, from \$37,800.00 to \$38,930.51 (the "First Amendment").

Accordingly, authority is hereby requested from your Honorable Board to exempt from

the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, the procurement of the proposed First Amendment, on the basis that such exemption would serve the best interests of the County.

DDA/bdm/nm

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/22/2016 - LISA MRIJAJ, SECRETARY

RESOLUTION

Upon a communication from the Executive Director of the Solid Waste Commission, be it hereby:

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of an amendment to an agreement with West Publishing Corporation, pursuant to which it was to provide the County with computer-assisted legal and general research services for a three (3) year period from October 1, 2013 through September 30, 2016, for a total amount not-to exceed \$37,800.00, by, 1.) changing the term thereof from October 1, 2013 through September 30, 2016 to October 1, 2013 through October 31, 2016, and 2.) changing the not-to-exceed amount thereof by increasing it by \$1,130.51, from \$37,800.00 to \$38,930.51.

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION SECRETARY