

**59245**

DATE: October 4, 2017

TO: Board of Acquisition and Contract

FROM: John B. McCaffrey  
Chief Information Officer  
Department of Information Technology

SUBJECT: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, an amendment to extend the term of an agreement with Xerox Corporation (IT-1245), pursuant to which it was to lease to the County digital monochrome printing equipment and related equipment and software, and was to provide maintenance therefor.

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Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures an amendment (the "Second Amendment") to an agreement with Xerox Corporation ("Xerox"), pursuant to which it was to lease to the County of Westchester (the "County") digital monochrome printing equipment and related equipment and software, and was to provide maintenance therefor, for a term commencing on August 3, 2012 and continuing through the sooner of October 2, 2017 or the removal of said leased equipment, for a total amount not-to-exceed \$914,078.40 ("IT-1245"). The Second Amendment would extend the term of IT-1245 by up to three (3) months, to the sooner of January 2, 2018 or the removal of said leased equipment, and increase its not-to-exceed amount by \$43,357.32, to pay for services during the extended term.

As was noted in the cover memo of each of two resolutions concerning IT-1245 and its intended successor agreement, IT-1486, that were approved by your Honorable Board on August 17, 2017, the County negotiated with Xerox to lease newer models of equipment and software, and to receive maintenance therefor, at lower costs than under IT-1245, and the County was prepared to proceed with such an agreement (i.e., IT-1486). However, negotiations between the County and Xerox on various particular terms of such an agreement have taken longer than reasonably anticipated.

Accordingly, the County will continue to require use of the old equipment under IT-1245, until it is removed as part of the preparation for the installation of the new equipment to be installed under the negotiated IT-1486, as the Department of Information Technology believes it would be time- and cost-inefficient for the County to perform its digital monochrome printing during this time period in any way other than by continuing to use the old equipment and software provided under IT-1245.

Based upon the foregoing, it is proposed that the best interests of the County would be served by exempting the proposed Second Amendment from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof. Therefore, a resolution to exempt this procurement is hereby submitted for your consideration.

JBM/SF/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/26/2017 - LISA MRIJAJ, SECRETARY

## RESOLUTION

Upon a communication from the Chief Information Officer, Department of Information Technology, 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 (the "Second Amendment") to an agreement with Xerox Corporation ("Xerox"), pursuant to which it was to lease to the County digital monochrome printing equipment and related equipment and software, and was to provide maintenance therefor, for a term commencing on August 3, 2012 and continuing through the sooner of October 2, 2017 or the removal of said leased equipment, for a total amount not-to-exceed \$914,078.40, ("IT-1245") which Second Amendment will extend the term of IT-1245 by up to three (3) months, to the sooner of January 2, 2018 or the removal of said leased equipment, and increase its not-to-exceed amount by \$43,357.32, to pay for services during the extended term.

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APPROVED BOARD OF ACQUISITION & CONTRACT MGMT. / USMIRIAJ, SECRETARY