

Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

Philippe Gille
First Deputy Commissioner

59649

DATE: October 30, 2017

TO: Board of Acquisition and Contract

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

SUBJECT: Authority for the County to amend an agreement with Kronos Incorporated, pursuant to which it was to provide training and implementation services for the equipment and software from Kronos Incorporated that the County will use for a time and attendance system for the Department of Social Services, in order to extend its term, increase its not-to-exceed amount, and modify its budget.

By a resolution approved on April 28, 2016, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement (the "Original Agreement") with Kronos Incorporated ("Kronos"), pursuant to which Kronos was to provide training and implementation services (the "Services") for the equipment and software from Kronos that the County was to use for a time and attendance system for DSS (the "System"). The Agreement was to be for a term from April 15, 2016 through April 14, 2017, for an amount not-to-exceed \$50,525.00, payable pursuant to an approved budget, which included specified hourly rates and budgeted numbers of hours. The Original Agreement was subsequently executed.

By a resolution approved on June 8, 2017, your Honorable Board authorized the County to amend the Original Agreement by extending its term by six (6) months, to a new termination date of October 14, 2017 (the "First Amendment"). The First Amendment was subsequently executed.

Due to unexpected, extremely protracted negotiations with Kronos regarding various contract terms, the Original Agreement was only finally executed by the parties on February 10, 2017. That roughly ten (10) month delay in execution is what necessitated the First Amendment, which extended the term of the agreement by only six (6) months. Now, Kronos is nearing completion of the Services, but still requires more time in order to do so. Notably, Kronos requires only an additional two (2) months and seventeen (17) days in order to complete its

provision of the Services, meaning that the Services will ultimately be completed in fewer calendar days than originally anticipated. However, the County has determined that Kronos will have to exceed its budgeted number of hours in order to complete its provision of the Services.

Therefore, authority is respectfully requested from your Honorable Board for the County to amend the Original Agreement, as amended by the First Amendment, by, 1.) extending its term by two (2) months and seventeen (17) days, to a new termination date of December 31, 2017, 2.) increasing its not-to-exceed amount by \$6,000.00, from an amount not-to-exceed \$50,525.00 to a new amount not-to-exceed of \$56,525.00, and 3.) modifying its budget in order to allocate the additional funds to the necessary uses (the "Second Amendment").

Except as specifically described above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed Second Amendment will serve a public purpose by allowing Kronos to finish providing the Services, thereby facilitating the County's use of the System.

The goal and objective of the proposed Second Amendment is to allow Kronos to finish providing the Services, and thereby facilitate the County's use of the System.

The goal and objective of the proposed Second Amendment is in the best interests of the County in terms of fiscal responsibility, as allowing Kronos to finish providing the Services, and thereby facilitate the County's use of the System, will ultimately improve efficiency and cost-effectiveness by, for example, allowing for the streamlining of processes, reducing the need for clerical staff to perform time and attendance functions, and improving accuracy of time and attendance records, among other similar and related benefits.

I respectfully recommend the adoption of the attached resolution.

KMM/TL/bdm/nn

RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Social Services ("DSS"), is hereby authorized to amend an agreement with Kronos Incorporated ("Kronos"), pursuant to which Kronos was to provide training and implementation services for the equipment and software from Kronos that the County was to use for a time and attendance system for DSS, for a term from April 15, 2016 through October 14, 2017, for an amount not-to-exceed \$50,525.00, payable pursuant to an approved budget (the "Agreement"), by, 1.) extending its term by two (2) months and seventeen (17) days, to a new termination date of December 31, 2017, 2.) increasing its not-to-exceed amount by \$6,000.00, from an amount not-to-exceed \$50,525.00 to a new amount not-to-exceed of \$56,525.00, and 3.) modifying its budget in order to allocate the additional funds to the necessary uses; and be it further

RESOLVED, that except as specifically amended hereby, all terms and conditions of the Agreement 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 any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

| Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub-Object | Trust Account | Dollars |
|------|------|--|-----------------------|------------------|------------|
| 101 | 22 | 0010 | 4420 | | \$6,000.00 |
| | | | | | |
| | | | | | |

Budget Funding Years: 2017 Start Date: 10/15/2017 End Date: 12/31/2017
(must match resolution)

| | | |
|-------------------------|--------------|-----|
| Funding Source | Tax Dollars: | 42% |
| <u>\$6,000.00</u> | State Aid: | 23% |
| (must match resolution) | Federal Aid: | 35% |
| | Other: | |