

81110

DATE: February 11, 2021

TO: Board of Acquisition and Contract

FROM: Marguerite Beirne
Chief Information Officer
Department of Information Technology

SUBJECT: Authority to terminate the County's existing agreement with Xerox Corporation for digital color printing equipment (IT-1394) and enter into an agreement (IT-1677) with Xerox Corporation, pursuant to which it will lease to the County digital color printing equipment and related print server equipment and provide maintenance therefor, for a term of five (5) years, commencing upon the termination of IT-1394, for a total amount not-to-exceed \$977,048.40, payable monthly in a total amount not-to-exceed \$16,284.14.

Pursuant to authority from a resolution approved by your Honorable Board on March 31, 2016, the County of Westchester (the "County") entered into an agreement (IT-1394) with Xerox Corporation ("Xerox"), pursuant to which Xerox was to, a.) lease to the County certain digital color printing equipment and provide maintenance therefor, and b.) lease to the County two (2) scanners and provide maintenance therefor, for a total amount not-to-exceed \$1,062,470.40, payable monthly in an amount not-to-exceed \$17,707.84, for a term of five (5) years, commencing upon the termination of IT-1244. IT-1394 was subsequently executed and its term commenced on May 1, 2016. Accordingly, its term will expire on April 30, 2021.

The County now desires to terminate IT-1394 and enter into a new agreement (IT-1677) with Xerox to lease newer models of digital color printing equipment with additional functionality and related print server equipment, and receive maintenance for that equipment.

Therefore, authority is respectfully requested from your Honorable Board for the County to terminate IT-1394 and enter into agreement IT-1677 with Xerox, pursuant to which Xerox will lease to the County digital color printing equipment and related print server equipment and provide maintenance therefor, for a total amount not-to-exceed \$977,048.40, payable monthly in an amount not-to-exceed \$16,284.14 based upon a monthly base price and pricing for actual usage.

In order to minimize the interruption in the availability of digital color printing equipment, the five (5) year term of IT-1677 will commence upon the termination of IT-1394. That termination is intended to occur on or about March 11, 2021, with the term of the new agreement commencing on or about March 12, 2021.

The proposed agreement will serve a public purpose by ensuring that the County has the digital color printing equipment and related print server equipment necessary in order to accomplish tasks for various County operations, including items that are distributed to the public.

The goal and objective of the proposed agreement is to ensure that the County has the digital color printing equipment and related print server equipment necessary in order to accomplish tasks for various County operations, including items that are distributed to the public.

The goal and objective of the proposed agreement is in the best interests of the County in terms of fiscal responsibility, as the County will receive newer models of digital color printing equipment for a lower cost than it is currently paying for its existing, older digital color printing equipment.

The goal and objective of the proposed agreement will be tracked and monitored by the staff of the Department of Information Technology.

Authority to exempt the procurement of the proposed agreement from the requirements of the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, has been submitted to your Honorable Board in accordance with a separate resolution of even date herewith.

I respectfully recommend the adoption of the attached resolution.

MB/SF/bdm/na

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/14/22 - LISMANIS, SECRETARY

RESOLUTION

Upon a communication from the Chief Information Officer, Department of Information Technology, be it hereby:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to terminate the County's existing agreement with Xerox for digital color printing equipment (IT-1394) and enter into an agreement (IT-1677) with Xerox Corporation ("Xerox"), pursuant to which Xerox will lease to the County digital color printing equipment and related print server equipment and provide maintenance therefor, for a total amount not-to-exceed \$977,048.40, payable monthly in an amount not-to-exceed \$16,284.14 based upon a monthly base price and pricing for actual usage; and be it further

RESOLVED, that IT-1677 shall be for a term of five (5) years, commencing upon the termination of IT-1394; and be it further

RESOLVED, that the agreement is subject to County appropriations; and be it further

RESOLVED, that the 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 the 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 the 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 the agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes of this resolution.

Account to be
Charged/Credited

| Year | Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub-Object | Trust Account | Dollars |
|------|------|------|--|--------------------|---------------|---------------|
| 2021 | 101 | 16 | 6310 | 4070 | | \$ 48,852.42 |
| 2022 | 101 | 16 | 6310 | 4070 | | \$ 195,409.68 |
| 2023 | 101 | 16 | 6310 | 4070 | | \$ 195,409.68 |
| 2024 | 101 | 16 | 6310 | 4070 | | \$ 195,409.68 |
| 2025 | 101 | 16 | 6310 | 4070 | | \$ 195,409.68 |
| 2026 | 101 | 16 | 6310 | 4070 | | \$ 146,557.26 |

Budget Funding Year(s): 2021-2026
(must match resolution)

Start Date: Upon Termination
of IT-1394

End Date: 5 Years After
Commencement

Funding Source
\$977,048.40
(must match resolution)

Tax Dollars: \$977,048.40
State Aid: _____
Federal Aid: _____
Other: _____

APPROVED BOARD OF ACQUISITION CONTRACT - 03/11/2021 LEAH MARIJAJ, SECRETARY