

82904

To: Honorable Members of the Board of Acquisition and Contract

From: Marguerite Beirne
Chief Information Officer

Natasha Caputo
Director of Tourism & Film

Date: February 24, 2021

Re: Resolution authorizing the County of Westchester to enter into an agreement with Simpleview, LLC, for the provision of web-based applications, development and hosting services, including Customer Relationship Management Application and a Content Management System Application, for an initial term commencing retroactively on January 18, 2021 and terminating on January 17, 2023, for a total aggregate amount not-to-exceed \$70,000, payable pursuant to an approved budget and subject to County appropriations, with the County reserving an option to renew the term of the agreement for one (1) additional year period, which option shall be exercised upon 60 days' written notice to Simpleview prior to the termination of the term. (Agreement No. IT-1679)

Transmitted herewith is a resolution which, if approved by your Honorable Board, will authorize the County of Westchester (the "County"), acting by and through its Office of Tourism & Film ("WCOTF"), to enter into an agreement (the "Agreement") with Simpleview, LLC ("Simpleview"), for the provision of web-based applications, development and hosting services, including Customer Relationship Management Application ("CRM") and a Content Management System Application ("CMS"), for an initial term commencing retroactively on January 18, 2021 and terminating on January 17, 2023, for an annual amount not-to-exceed \$35,000.00, for a total aggregate amount not-to-exceed \$70,000, payable pursuant to an approved budget and subject to County appropriations. The County, at its sole option, reserves the right to extend the term of the Agreement for one (1) additional year period, upon 60 days' prior written notice to Simpleview, in which event the Agreement will continue upon the same terms and conditions, subject to the further approval of the Westchester County Board of Acquisition & Contract.

In the event the renewal option is exercised, the parties shall negotiate terms to a new agreement at the end of the one-year renewal period. Simpleview shall have the right to change pricing at the end of each renewal term, at its discretion, with written notice at least 60 days prior to the end of an expiring term, up to five percent (+5%) per annum growth rate from the effective date of the expiring term.

Pursuant to the terms of the proposed Agreement, Simpleview will provide Web-Site design/development and hosting, including programming and hosting of the CMS and/or CRM applications on the World Wide Web.

The proposed Agreement will serve a public purpose by assisting the County with promoting and marketing travel and tourism into Westchester County. The goals and objectives of this proposed Agreement will be to promote Westchester County as a destination and increase travel and tourism into Westchester County. The goals and objectives of the proposed Agreement are in the best interests of the County in terms of fiscal responsibility because it will bring added fiscal benefits for the County and the residents and business entities within Westchester County. The goals and objectives will be tracked and monitored by the Office of Tourism.

Authority to exempt the proposed First Amendment from the requirements of the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, has been submitted for your Board's consideration via separate resolution.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

NC/CMC/cmc

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/11/2021 USA MRJ/SEC/PT/PA

RESOLUTION

Upon a communication from the Chief Information Officer of the Department of Information and Technology and the Director of Tourism & Film, be it hereby:

RESOLVED, that the County of Westchester (the "County") is authorized to enter into an agreement (the "Agreement") with Simpleview, LLC ("Simpleview"), for the provision of web-based applications, development and hosting services, including Customer Relationship Management Application ("CRM") and a Content Management System Application ("CMS"), for an initial term commencing retroactively on January 18, 2021 and terminating on January 17, 2023, for an annual amount not-to-exceed \$35,000.00, for a total aggregate amount not-to-exceed \$70,000, pursuant to an approved budget; and be it further

RESOLVED, that the County, at its sole option, reserves the right to extend the term of the Agreement for one (1) additional year period, on the same terms and conditions as agreed to by the parties for the initial term, provided, however, the parties shall negotiate terms to a new agreement at the end of the one-year renewal period and Simpleview shall have the right to increase pricing at the end of each renewal term, at its discretion, with written notice at least 60 days prior to the end of an expiring term, up to five percent (+5%) per annum growth rate from the effective date of the expiring term; 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 Simpleview, then Simpleview shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee be hereby authorized and empowered to execute any and all instruments necessary and proper to accomplish the purposes of this Resolution.

Agreement No. IT-1679

Account to be
Charged/credited

Year	Fund	Agency	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2021	101	11	0720	4070		\$35,000.00
2022	101	11	0720	4070		\$35,000.00

Budget Funding Year(s) 2021-2023 Date 01/18/2021 End Date 01/17/2023

Tax Dollars: \$70,000.00

State Aid: _____

Federal Aid: _____

Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/11/2021 - LISA MARIJA, SECRETARY