

Office of the County Attorney

86172

July 6, 2021

To: The Honorable Board of Acquisition and Contract

From: John M. Nonna  
County Attorney

Re: **Resolution authorizing the County of Westchester (“County”) to award and enter into a contract (Contract No. LAW 1166) with Nationwide Court Services, Inc. for the service of legal documents in all Family Court Proceedings and certain Supreme and Surrogate Court Proceedings, for an amount not to exceed \$336,908.00.00 per year for the period from August 1, 2021 through July 31, 2023, with the County having the option to extend the agreement for three (3) additional terms of one (1) year each, on the same terms and conditions, subject to appropriations**

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By resolution approved on June 10, 2021, your Honorable Board authorized the County to solicit bids by public advertisement for service of legal documents in all Family Court Proceedings and certain Surrogate and Supreme Court matters under a contract commencing August 1, 2021 and terminating on July 31, 2023, with the County having the option to extend the Agreement for three (3) additional terms of one (1) year each, upon the same terms and conditions as the initial term. An advertisement appeared in the Journal News on both June 15, 2021 and June 22, 2021. On June 30, 2021, two (2) bids were received and opened. The low bidder, Nationwide Court Services, Inc. (“Nationwide”), materially met the bid specifications and their past experience in providing service of process for the County has been found to be satisfactory.

The public purpose, as well as the goal and objective of this contract, is to allow the Department of Law to carry out its statutory duties in connection with all Family Court proceedings and certain Surrogate and Supreme Court matters. For the year 2020, the County requested service over 4,000 times in connection with Family Court proceedings. Due to the large volume of work, this service is best handled through an outside vendor as the Law Department does not have sufficient staff to cover this work. In addition, since the volume of services required varies on a daily basis, it is more fiscally prudent for the County to contract with an outside vendor rather than creating additional in-house staff positions sufficient in number to handle peak volume periods. Process servers are, on occasion, also required to testify

in court. By utilizing an outside vendor, the County avoids having to defend the actions of its own employees in court in connection with service of process. By having such a contract in place, the Law Department is able to carry out its statutory duties in the Family Court and protect the health, safety and welfare of the men, women and children who are protected by the County's actions in the Family Court.

The performance of Nationwide under this contract will be monitored by the Law Department staff and staff of the Department of Social Services to ensure compliance with contract terms.

Accordingly, attached for your consideration is a Resolution which, if approved, would authorize the County to award and enter into a contract with Nationwide for the service of legal documents in all Family Court Proceedings and certain Surrogate and Supreme Court matters for the period commencing August 1, 2021 and terminating July 31, 2023, for an amount not to exceed \$336,908.00 per year, at the rates set forth in Nationwide's Bid Sheet, with the County having the option to extend the Agreement for three (3) additional terms of one (1) year each, upon the same terms and conditions as the initial term.

JMN/cmc  
Attachment

## RESOLUTION

Upon a communication from the County Attorney, be it hereby

**RESOLVED**, that the County of Westchester (“County”) is authorized to award and enter into a contract for the service of legal documents in all Family Court Proceedings (Contract No. LAW 1166) with the low bidder, Nationwide Court Services, Inc. (“Nationwide”), for a two (2) year period commencing August 1, 2021 and terminating July 31, 2023, with the County having the option to extend the Agreement for three (3) additional terms of one (1) year each, upon the same terms and conditions as the initial term, in an amount not to exceed \$336,908.00 per year (for a total contract amount not to exceed \$673,816.00), payable at the rates set forth in Nationwide’s Bid Sheet; and be it further

**RESOLVED**, that this Agreement is subject to annual 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 budget of the State of New York and/or the adoption of the State Budget or any amendments thereto, and after the County has a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of 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 Nationwide, then Nationwide 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 is hereby authorized to execute any and all instruments and take all actions necessary to accomplish the purpose hereof.

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
101	18	1000	4923		\$673,816
101	18	1000	4923		
101	18	1000	4923		

2021-2023

Budget Funding Year(s) 2021-2023 Start Date: 8/1/21 End Date: 7/31/23  
 (must match resolution)

Funding Source: Tax Dollars \$673,816.00  
 State Aid \_\_\_\_\_  
\$673,816 Federal Aid \_\_\_\_\_  
 Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/15/2021 - LISA MARIJAJ, SECRETARY

**CONTRACT No. LAW 1166**

**Westchester County Department of Law for  
Service of Process in All Family Court Proceedings**

**BIDS RECEIVED: WED. 6/30/21 11:00 AM**

<b>CONTRACTOR</b>	<b>BID RANK</b>	<b>AMOUNT</b>	<b>SUBCONTRACTOR</b>
<b>Nationwide Court Services, Inc.</b> 761 Kochler Ave, Suite A, Ronkonkoma, NY 11779 Jennifer L. Croyle 631-981-4400 Ext. 237 jcroyle@nationwidecourtservice.com	1	\$336,908.00/year	
<b>Inter County Judicial Services LLC</b> 901 N. Broadway, Suite 18 North White Plains, NY 10603 Ellen Eakley 914-328-1069 ellen@intercountyjudicial.com	2	\$350,435.00/year	

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/15/2021 - LIS MARIJAJ, SECRETARY