



George Latimer, County Executive
Leonard G. Townes, Commissioner
Department of Social Services

109666

DATE: August 12, 2024

TO: Board of Acquisition and Contract

FROM: Leonard G. Townes
Commissioner, Department of Social Services

Marguerite Beirne
Chief Information Officer
Department of Information Technology

RE: Authority to exercise the County's second and final option under its agreement with New York State Industries for the Disabled, Inc., pursuant to which it was to provide document scanning and indexing services for the Westchester County Department of Social Services, in order to extend the term thereof for the period from September 16, 2024 through September 15, 2025.

By a resolution approved on August 20, 2020, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Social Services ("DSS"), to enter into an agreement (the "Agreement") with New York State Industries for the Disabled, Inc. ("NYSID"), pursuant to which NYSID was to provide document scanning and indexing services for DSS (the "Services"), for the three (3) year period from September 16, 2020 to September 15, 2023 (the "Initial Term"), with the County having the sole option to extend the term by up to two (2) additional one (1) year periods thereafter (the "Option Terms"). Under the Agreement, NYSID was to be paid an initial total amount not-to-exceed \$2,242,500, during the Initial Term, an amount not-to-exceed of \$812,500 for the first Option Term, and an amount not-to-exceed of \$845,000 for the second Option Term, payable at approved rates for services rendered, subject to the further approval of your Honorable Board. Under the Agreement, NYSID was authorized to utilize Ability Beyond Disability, Inc. and Digiscribe International, LLC¹, as subcontractors to perform a portion of the Services. The Agreement was subsequently executed.

¹ Digiscribe International, LLC was acquired by MetaSource, LLC by equity purchase transaction consummated December 31, 2020. Metasource, LLC began providing services to the County in May 2022.

By resolution approved on June 29, 2023, your Honorable Board authorized the County to exercise its first one-year option under the Agreement and amend the Agreement by 1.) extending the term thereof by one (1) year, to a new termination date of September 15, 2024; 2.) increasing the not-to-exceed amount of the Agreement by \$812,500, to pay for the Services rendered during the first Option Term; and 3) reflecting the fact that the County will have one (1) remaining one (1) year option under the Agreement. The First Amendment was subsequently executed.

Pursuant to New York State Finance Law §162 ("State Finance Law §162"), the procurement of certain commodities and services is exempted from competitive procurement provisions and the County is required to give designated preferred sources an opportunity to provide those commodities or services. Among the services subject to this exemption is the Services, for which NYSID is a preferred source.

Therefore, the County procured the Agreement in accordance with the requirements of State Finance Law §162. As part of that process, the New York State Office of General Services ("OGS") evaluated the pricing offered by NYSID for the Agreement. OGS found the pricing "reasonable" and provided its approval, which allowed the County to execute the Agreement as amended, as noted above.

Since the County continues to require the Services, it can now only either, a.) exercise its second and final one-year option under the Agreement, or b.) conduct a new preferred-source procurement in accordance with State Finance Law §162.

In light of all of the foregoing, the County respectfully requests authority from your Honorable Board to exercise its second one-year option under the Agreement and amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of September 15, 2025; 2.) increasing the not-to-exceed amount of the Agreement by \$845,000, to pay for Services rendered during the second Option Term; and 3.) reflecting the fact that the County will not have any remaining options (DSS6063-B-20; 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 providing DSS, for an additional year, with the document scanning and indexing services it needs in order to perform various departmental functions.

The goal and objective of the proposed Second Amendment is to provide DSS, for an additional year, with the document scanning and indexing services it needs in order to perform various departmental functions.

The goal and objective of the proposed Second Amendment is in the best interests of the County in terms of ensuring the public welfare, as providing DSS, for an additional year, with the document scanning and indexing services it needs will facilitate DSS acting to ensure the welfare of the public.

The goal and objective of the proposed Second Amendment will be tracked and monitored by the staff of DSS.

I respectfully recommend approval of the attached Resolution.

LGT/MB/je

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/05/2024 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Social Services and the Chief Information Officer, be it hereby:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to exercise its second and final one-year option under its agreement with New York State Industries for the Disabled, Inc. ("NYSID"), pursuant to which NYSID was to provide document scanning and indexing services for the Department of Social Services (the "Services"), for a term commencing on September 16, 2020 and continuing through September 15, 2023 (the "Initial Term"), with the County having the sole option to extend the term by up to two (2) additional one (1) year periods thereafter (the "Option Terms"), under which agreement NYSID was to be paid an initial total amount not-to-exceed \$2,242,500 for the Initial Term and an amount not-to-exceed of \$812,500 for the first Option Term, and an amount not-to-exceed of \$845,000 for the second Option Term, payable at approved rates for Services rendered, and also under which agreement NYSID was authorized to utilize Ability Beyond Disability, Inc. and Digiscribe International, LLC², as subcontractors, to perform portions of the Services provided, (the "Agreement") and amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of September 15, 2025; 2.) increasing the not-to-exceed amount of the Agreement by \$845,000, to pay for Services rendered during the second Option Term; and 3.) reflecting the fact that the County will not have any remaining options under the Agreement (DSS6063-B-20; the "Second Amendment"); and be it further

RESOLVED, that except as specifically hereby authorized to be amended, 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.

² Digiscribe International, LLC, the original subcontractor, was acquired by MetaSource, LLC by equity purchase transaction consummated December 31, 2020. Metasource, LLC began providing services to the County in May 2022.

Initial Term: \$2,242,500
 First Option: \$812,500
 Second Option: This Amendment \$845,000
 Total: \$3,900,000

Account to be Charged/Credited:

	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2024	101	22	0010:0012	4420:10		\$246,500
2025	101	22	0010:0012	4420:10		\$598,500

Budget Funding Year(s): 2024-2025

Start Date: 9/16/2024 End Date: 9/15/2025
 (must match resolution)

Funding Source:

Federal	35.82%	CFDA#(s)	N/A		
State	22.22%	State ID#(s)	N/A		
Operating/Tax Levy	41.96%				
Capital					

Total NTE: \$845,000

(must match resolution)