



Kenneth W. Jenkins
County Executive

Department of Social Services

Leonard G. Townes
Commissioner

111085

DATE: April 28, 2025

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 amend the County's 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, by increasing its not-to-exceed amount by \$62,000.00, in order to pay for services already rendered.

By a resolution approved on August 20, 2020, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement (the "Original 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 County's Department of Social Services (the "Services"), for a three (3) year period from September 16, 2020 to September 15, 2023 (the "Initial Term"), with the County having the option, in its sole discretion, to extend the term by up to two (2) additional one (1) year periods thereafter (each an "Option Term").

Under the Original Agreement, NYSID was to be paid an initial amount not-to-exceed \$2,242,500.00 for the Services during the Initial Term, an initial amount not-to-exceed of \$812,500.00 for the Services during the first Option Term, and an initial amount not-to-exceed of \$845,000.00 for the Services during the second Option Term, all of which was to be payable at approved rates for the Services rendered.

Under the Original Agreement, NYSID was authorized to utilize Ability Beyond

Disability, Inc. and Digiscribe International, LLC¹, as subcontractors to perform a portion of the Services.

The Original Agreement was subsequently executed.

By resolution approved on June 29, 2023, your Honorable Board authorized the County to exercise its first one-year option under the Original Agreement and therefore amend the Original Agreement by, 1.) extending its term by one (1) year, to a new termination date of September 15, 2024; 2.) increasing its not-to-exceed amount by \$812,500.00, to pay for the Services rendered during the first Option Term; and 3.) reflecting the fact that the County would have one (1) remaining one (1) year option (the "First Amendment"). The First Amendment was subsequently executed.

By resolution approved on September 5, 2024, your Honorable Board authorized the County to exercise its second one-year option under the Original Agreement, as amended, and therefore amend the Original Agreement, as amended, by, 1.) extending its term by one (1) year, to a new termination date of September 15, 2025; 2.) increasing its not-to-exceed amount by \$845,000.00, to pay for the Services rendered during the second Option Term; and 3.) reflecting the fact that the County would not have any remaining options (the "Second Amendment"). The Second Amendment was subsequently executed.

The County recently determined that additional funds are due to NYSID for Services performed under the Original Agreement, as amended by the First Amendment and the Second Amendment (the "Agreement"). Specifically, NYSID rendered approximately \$874,500.00 in Services during the first Option Term. However, the Agreement specified that, for Services during the first Option Term, NYSID could only be paid an amount not-to-exceed \$812,500.00. Accordingly, NYSID is still owed approximately \$62,000.00 for Services rendered during the first Option Term.

Accordingly, the County respectfully requests authority from your Honorable Board to amend the Agreement by increasing, by \$62,000.00, the not-to-exceed amount for the first Option Term under the Agreement (the "Third Amendment"; DSS6063-C-20).

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

The proposed Third Amendment will serve a public purpose by enabling the Department of Social Services ("DSS") to pay for Services rendered, which Services already assisted DSS with the performance of various departmental functions.

The goal and objective of the proposed Third Amendment is to enable DSS to pay for the Services rendered.

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.

The goal and objective of the proposed Third Amendment is in the best interests of the County in terms of fiscal responsibility, as enabling DSS to pay for Services rendered, which already assisted DSS with the performance of various departmental functions, is proper and fiscally responsible.

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

I respectfully recommend approval of the attached resolution.

LGT/JE/bdm

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/15/2025 - 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 amend 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 the period from September 16, 2020 through September 15, 2023 (the "Initial Term"), the period from September 16, 2023 through September 15, 2024 (the "First Option Term"), and the period from September 16, 2024 through September 15, 2025 (the "Second Option Term"), for an initial amount not-to-exceed \$2,242,500 for the Initial Term, an initial amount not-to-exceed \$812,500.00 for the First Option Term, and an initial amount not-to-exceed \$845,000.00 for the Second Option Term, payable at approved rates for the Services rendered, (the "Agreement") by increasing, by \$62,000.00, to a new total amount not-to-exceed \$874,500.00, the not-to-exceed amount for the First Option Term; 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.

Original Agreement: \$2,242,500.00
 1st Amendment: \$ 812,500.00
 2nd Amendment: \$ 845,000.00
 This Amendment: \$ 62,000.00
 Total: \$3,962,000.00

Account to be Charged/Credited:

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	22	0010:0012	4420:10		\$62,000

Budget Funding Year(s): 2023-2024

Start Date: 9/16/2023 End Date: 9/15/2024
 (must match resolution)

Funding Source:

Federal	50%	CFDA#(s)	N/A		
State	14%	State ID#(s)	N/A		
Operating/Tax Levy	36%				
Capital					

Total NTE: \$62,000.00
 (must match resolution)