



Kenneth W. Jenkins
County Executive

Department of Finance

Karin E. Hablow
Commissioner

#112927

DATE: January 27, 2026

TO: Board of Acquisition and Contract

FROM: Karin E. Hablow
Commissioner

SUBJECT: Authority for the County of Westchester to amend its agreement with Equifax Workforce Solutions LLC, pursuant to which Equifax provides necessary software and services to the County for compliance with the Affordable Care Act’s employer mandates, in order to, (i) modify the Agreement’s State Mandate Reporting Subscription fee schedule to reflect additional multi-state health coverage reporting requirements for Rhode Island, California, and Massachusetts applicable to the County, (ii) modify the Agreement’s Service Description Overview to add additional compliance services for those States, which must be provided in support of the County’s federal and state health coverage reporting obligations, and (iii) set the annual not-to-exceed amount payable to Equifax under the Agreement at \$65,000.00 per evergreen contract year.

By resolution approved on July 23, 2015 (the “July 23rd Resolution”), your Honorable Board authorized the County of Westchester (the “County”), acting by and through its Department of Finance (the “Department”), to enter into an agreement with TALX Corporation, a provider of Equifax Workforce Solutions (“TALX”), pursuant to which TALX agreed to provide necessary software and services to the County for compliance with the Affordable Care Act’s (“ACA”) employer mandates, for the period from August 1, 2015 through July 31, 2016, in an amount not to exceed \$50,000.00 (the “Agreement”). The July 23rd Resolution further authorized the County to extend the term of the Agreement for two (2) additional one (1) year periods, in an amount not to exceed \$40,000.00 per year, payable pursuant to an agreed-upon fee schedule. The Agreement was subsequently executed.

Subsequently, by resolution approved on October 27, 2016 (the “October 27th Resolution”), your Honorable Board authorized the County to amend the Agreement to, (i) clarify the terms of the Agreement and divide the services into two (2) components, a ACA Management Platform Services component (“ACA Services”) and a 1095-C Tax Form Management Services component (“1095-C Services”), (ii) extend the term of the

Agreement through July 18, 2018 for the ACA Services and December 31, 2019 for the 1095-C Services, and (iii) increase the not-to-exceed amount of the Agreement by \$117,000.00, from an amount not to exceed \$50,000.00 to a new, total amount not to exceed \$167,000.00. The October 27th Resolution also authorized the County to amend the Agreement to make it an evergreen contract, automatically renewing for successive one (1) year terms, unless either party provides written notice of termination at least ninety (90) days prior to the end of the then-current term (the "First Amendment"). The First Amendment was subsequently executed.

On December 1, 2019, as a result of unforeseen circumstances, the Agreement was amended a second time to comply with additional state ACA reporting requirements. Under its ACA obligations, the County must report retiree healthcare coverage for former County employees residing outside of New York according to those states' specific ACA reporting requirements, if applicable. It was made aware to the Department in 2019 that there were County retirees residing in New Jersey and Washington D.C.. Accordingly, the County amended the Agreement to, (i) modify the Agreement's State Mandate Reporting Subscription fee schedule to reflect the additional multi-state health coverage reporting requirements for New Jersey and Washington D.C. applicable to the County, and (ii) modify the Agreement's Service Description Overview to add the additional compliance services for those States, which must be provided in support of the County's federal and state health coverage reporting obligations (the "Second Amendment"). The Second Amendment was subsequently executed.

Additionally, the County has been advised that, effective May 1, 2022, TALX converted into Equifax Workforce Solutions LLC, with all liabilities and duties to perform under the Agreement vesting in Equifax Workforce Solutions LLC ("EWS") upon such conversion.

The County recently became aware that there are additional County retirees residing in Rhode Island, California, and Massachusetts for whom employee ACA data must be reported in compliance with applicable state laws, rules, and filing deadlines. Accordingly, the County is now seeking authority to amend the Agreement a third time to, (i) modify the Agreement's State Mandate Reporting Subscription fee schedule to reflect the additional multi-state health coverage reporting requirements for Rhode Island, California, and Massachusetts applicable to the County, (ii) modify the Agreement's Service Description Overview to add the additional compliance services for those States, which must be provided in support of the County's federal and state health coverage reporting obligations. Except as specifically amended hereby, all other terms and conditions of the Agreement will remain in full force and effect, and (iii) set the annual not-to-exceed amount payable to EWS under the Agreement at \$65,000.00 per evergreen contract year.

The Agreement serves a public purpose by ensuring that the County conforms to and meets all federal and state mandates as required for its benefitted employees in order to avoid penalties to taxpayers.

The goal and objective of the Agreement is to ensure that the County has the proper software and services necessary to comply with the reporting requirements of the ACA's

employer mandates. The Agreement is in the best interests of the County in terms of fiscal responsibility as it will avoid potential significant penalties by being in compliance with the Affordable Care Act's employer mandates. The Agreement and EWS's services will continue to be tracked and monitored by Department representatives.

Based upon the foregoing, I recommend that your Honorable Board approve the annexed proposed Resolution.

KEH/AO/mcz

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/05/2026 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Finance, be it hereby

RESOLVED, that the County of Westchester (the “County”), acting by and through its Department of Finance, is hereby authorized to amend its agreement (the “Agreement”) with Equifax Workforce Solutions LLC (“EWS”), pursuant to which EWS provides necessary software and services to the County for compliance with the Affordable Care Act’s employer mandates, in order to, (i) modify the Agreement’s State Mandate Reporting Subscription fee schedule to reflect additional multi-state health coverage reporting requirements for Rhode Island, California, and Massachusetts applicable to the County, (ii) modify the Agreement’s Service Description overview to add additional compliance services for those States, which must be provided in support of the County’s federal and state health coverage reporting obligations, and (iii) set the annual not-to-exceed amount payable to EWS under the Agreement at \$65,000.00 per evergreen contract year; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect.

Account to be Charged/Credited

| Budget Year | Fund | Dept. | Major Program, Program & Phase | Object/Sub-Object | Trust Account | Dollars |
|--------------------|------|-------|--------------------------------|-------------------|---------------|-------------|
| Per Agreement Year | 617 | 61 | | 1680 | | \$65,000.00 |
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| | | | | | | |

Budget Funding Year(s) Recurring Start Date: End Date: Until Terminated
 (Must Match Resolution)

Funding Source
 \$65,000.00 _____
 (Must Match Resolution)

Tax Dollars: _____
 State Aid: _____
 Federal Aid: _____
 Other: _____