



Memorandum
Office of the County Attorney

OnBase ID#114174

DATE: July 27, 2026

TO: Honorable Board of Acquisition and Contract

FROM: John M. Nonna
County Attorney

SUBJECT: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, the procurement of an agreement with Nationwide Court Services, Inc., for the service of legal documents in all Family Court Proceedings and certain Supreme and Surrogate Court Proceedings, for a term commencing on August 1, 2026 continuing through July 31, 2027, in an amount not to exceed \$35,000.00, payable pursuant to an approved rate schedule.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures (the "Policy"), pursuant to Section 3(a)xxi thereof, the procurement of an agreement between the County of Westchester (the "County"), acting by and through its Department of Law (the "Department"), and Nationwide Court Services, Inc. ("Nationwide") for the service of legal documents in all Family Court Proceedings and certain Supreme and Surrogate Court Proceedings (the "Services"), for a term commencing on August 1, 2026 and continuing through July 31, 2027 (the "Agreement"). In consideration for Services rendered, the County will pay Nationwide an amount not-to-exceed \$35,000.00, in accordance with an approved rate schedule.

The purpose, as well as the goal and objective of this Agreement, is to allow the Department to carry out its statutory duties in connection with all Family Court proceedings and certain Surrogate and Supreme Court matters. Due to the large volume of work, these Services are best handled through an outside vendor as the 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.

It should be noted that the County, acting by and through the Department, has an active agreement in place with Nationwide for the provision of these Services, which is set to expire on July 31, 2026 (Contract No. Law 1166; the "Prior Agreement"). The Department is currently in the process of procuring a new agreement for these Services, for a term of five (5) years, in accordance with the competitive bidding requirements set forth in Section 103 of the New York

General Municipal Law. However, in the interim, it will be necessary to enter into this proposed Agreement to ensure that there is no interruption in the provision of the Services while the aforementioned procurement process is being completed.

Ordinarily under Section 5 of the Policy, the County is required to solicit written or oral quotations from no fewer than three persons customarily providing such goods or services, and if deemed appropriate, to inquire as to the qualifications and experience of such persons. However, Nationwide is already familiar with the Department's practices and expectations due to its provision of the Services under the Prior Agreement, which were performed to the Department's satisfaction, and therefore possesses the qualifications and experience necessary to perform the Services in an efficient and expedient manner. Accordingly, it would be in the best interest of the County for Nationwide to continue to provide these Services, since doing so would ensure the continued and uninterrupted provision thereof until the successor agreement has been procured and executed.

Pursuant to Section 3(a)xxi thereof, the Policy is not applicable to any procurement for which your Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the Policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of this Agreement from the Policy.

Accordingly, a Resolution to exempt the procurement of this Agreement is hereby submitted for your Honorable Board's consideration.

JMN/sjc
Attachment

RESOLUTION

Upon a communication from the County Attorney, be it hereby:

RESOLVED, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting written or oral price quotations, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the “County”) in connection with the procurement of an agreement between the County, acting by and through its Department of Law, and Nationwide Court Services, Inc. for the service of legal documents in all Family Court Proceedings and certain Supreme and Surrogate Court Proceedings, for a term commencing on August 1, 2026 continuing through July 31, 2027, in an amount not to exceed \$35,000.00, payable pursuant to an approved rate schedule.

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/30/2026 RAYMOND J. CUNY, SECRETARY