

111583

DATE: August 13, 2025

TO: Board of Acquisition and Contract

FROM: John M. Nonna
County Attorney

Marguerite Beirne
Chief Information Officer

RE: Authority for the County of Westchester to enter into an agreement with Computer Sciences Corporation, pursuant to which it will provide the cloud-based version of its 'Assure Claims' risk management software system as a service, together with implementation, training, and maintenance services, for the period from September 1, 2025 through June 30, 2030, for a total amount not-to-exceed \$320,517.88.

In 1998, the County of Westchester (the "County") entered into an agreement (the "Original Agreement") with Dorn Technology Group, Inc. ("Dorn Technology") for the licensing, installation, and support of its 'Assure Claims' risk management software system, which was formerly known as 'RiskMaster' ("Assure Claims"). Included in the agreement was the provision of software maintenance services for one year, to commence upon completion of the warranty period. This initial software maintenance period ended in 2000. Since that time, the County has periodically renewed the agreement in order to receive continued software maintenance.

Notably, over the years, Dorn Technology changed its name to Mynd Corporation. Subsequently, Computer Sciences Corporation ("CSC") acquired Mynd Corporation and all of its assets. Later, CSC was acquired by DXC Technology, but it continues to conduct business in its own corporate name.

Most recently, by a resolution approved on July 3, 2025, your Honorable Board authorized the County to amend the Original Agreement, as previously amended, (the "Maintenance Agreement") by extending its term by an additional two months, to a new expiration date of August 31, 2025.

The County has concluded its work to evaluate an alternative product offering from CSC. Specifically, the County has evaluated CSC's cloud-based version of its 'Assure Claims' risk management software system (the "New Software").

The County's Director of Risk Management scrutinized the New Software, found it sufficient, and recommended that the County procure it. Staff of the Department of Information Technology have confirmed that the New Software is usable and otherwise satisfactory from a technological perspective.

Accordingly, authority is respectfully requested from your Honorable Board for the County to enter into an agreement with CSC, pursuant to which CSC will provide the New Software, together with implementation, training, and maintenance services, (the "Services") for the period from September 1, 2025 through June 30, 2030, for a total amount not-to-exceed \$320,517.88, payable pursuant to an approved budget.

Under the proposed Agreement, the County will be required to agree to the following provision:

"[The County] will indemnify [CSC] against any claims brought against [CSC], its Affiliates¹, or its subcontractors by any third parties that the use of the [County] data infringes that third party's IP²."

The proposed Agreement will serve a public purpose by providing the Office of Risk Management with software that is needed for its risk-management purposes.

The goal and objective of the proposed Agreement is to provide the Office of Risk Management with software that is needed for its risk-management purposes.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of fiscal responsibility and safety and security, as it will provide the Office of Risk Management with software that is needed for its risk-management purposes, and thereby enable the Office of Risk Management to function optimally and protect the County's interests.

The goal and objective of the proposed Agreement will be monitored by the staff of the Office of Risk Management.

Authority to exempt the procurement of the New Software and the Services, under the proposed Agreement, from the requirements of the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, has been submitted to your Honorable Board by a separate resolution.

¹ Under the proposed Agreement: "Affiliates means, for each party, any entity controlled by, controlling, or under common control with that party."

² Under the proposed Agreement: "IP means all materials, know-how, methodologies, processes, techniques, tools, forms, templates, software (including as applicable to [CSC] Software), copyrights, patents, trademarks, trade secrets and all other intellectual property rights, and all modifications, enhancements, and derivative works of the foregoing." Under the proposed Agreement: "[CSC] Software' means the [CSC] proprietary software products listed in the Contract details form" (i.e., Assure Claims and the related reporting tool, Assure Insights).

I respectfully recommend the adoption of the attached resolution.

JMN/KD/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/21/2025 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the County Attorney and the Chief Information Officer, Department of Information Technology, be it hereby:

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to enter into an agreement with Computer Sciences Corporation (“CSC”), pursuant to which CSC will provide the County with CSC’s cloud-based version of its ‘Assure Claims’ risk management software system, together with implementation, training, and maintenance services, for the period from September 1, 2025 through June 30, 2030, for a total amount not-to-exceed \$320,517.88, payable pursuant to an approved budget; and be it further

RESOLVED, that, under the Agreement, the County is authorized to agree to the following provision:

“[The County] will indemnify [CSC] against any claims brought against [CSC], its Affiliates³, or its subcontractors by any third parties that the use of the [County] data infringes that third party’s IP⁴.”

RESOLVED, that this Agreement is subject to County 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 State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any 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 the Contractor, then the Contractor 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 documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this resolution.

³ Under the proposed Agreement: “Affiliates means, for each party, any entity controlled by, controlling, or under common control with that party.”

⁴ Under the proposed Agreement: “IP means all materials, know-how, methodologies, processes, techniques, tools, forms, templates, software (including as applicable to [CSC] Software), copyrights, patents, trademarks, trade secrets and all other intellectual property rights, and all modifications, enhancements, and derivative works of the foregoing.” Under the proposed Agreement: “[CSC] Software’ means the [CSC] proprietary software products listed in the Contract details form” (i.e., Assure Claims and the related reporting tool, Assure Insights).

Agreement #: LAW1346

Account to be charged/credited

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2025	615	59	0705/4940	4420		\$33,295.00
2026	615	59	0706/5040	4420		\$84,708.88
2027	615	59	0707/5140	4420		\$55,081.40
2028	615	59	0708/5240	4420		\$57,284.65
2029	615	59	0709/5340	4420		\$59,576.04
2030	615	59	0710/5440	4420		\$30,571.91

Budget Funding Year(s): 2025-2030 Start Date: 09/01/2025 End Date: 06/30/2030
(must match resolution)

Funding Source

\$320,517.88
(must match resolution)

Tax Dollars: _____
State Aid: _____
Federal Aid: _____
Other: 0-n

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/11/2025 - RAYMOND SEELY, SECRETARY