



Robert P. Astorino
County Executive

Department of Social Services

Grant E. Mitchell, MD
Acting Commissioner

15031

Date: October 21, 2010

To: Honorable Members of the Board of Acquisition & Contract

From: Grant E. Mitchell, MD
Acting Commissioner, Department of Social Services

Re: Resolution authorizing the County of Westchester to enter into an agreement with Westchester Hispanic Coalition, Inc. pursuant to which Westchester Hispanic Coalition, Inc. will provide specialized immigration legal services for undocumented youth in foster care for a term commencing on November 1, 2010 and terminating on October 31, 2011 for an amount not to exceed \$20,000 to be paid on a monthly basis pursuant to an approved budget and subject to appropriation

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize the County of Westchester, acting by and through the Department of Social Services (the Department), to enter into an agreement with Westchester Hispanic Coalition, Inc. pursuant to which Westchester Hispanic Coalition, Inc. will provide specialized immigration legal services for undocumented youth in foster care, for a term commencing on November 1, 2010 and terminating on October 31, 2011, for an amount not to exceed \$20,000 to be paid on a monthly basis pursuant to an approved budget and subject to appropriation.

The Westchester Hispanic Coalition, Inc. ("WHC") is a not-for-profit human services agency dedicated to the economic and social development of the Latino Community. Founded in 1974, the Westchester Hispanic Coalition is dedicated to improving the overall welfare of the community by providing ongoing opportunities for advancement and strengthening its' leadership. The Westchester Hispanic Coalition carries out its' mission through the implementation of culturally specific programs designed to facilitate greater integration and increased self-sufficiency. WHC has

attorneys employed by the organization and they will be assisting the customers in matters related to immigration and other related legal issues.

The services to be provided pursuant to this agreement will serve a **public purpose** as these services meet Federal and State requirements that all Local Departments of Social Services (LDSS) assess all undocumented youth in foster care to determine if they are eligible for Special Immigration Juvenile Status (SIJS). If these youth are eligible, Westchester Hispanic Coalition would pursue the Special Immigration Juvenile Status (SIJS) on behalf of the child. There is a possibility of this agreement being extended beyond 1-year as the services must be available, based on Federal and State mandates.

The **goal and objective** of the services provided by Westchester Hispanic Coalition is to provide Special Immigration Juvenile Status (SIJS) to youth in foster care who are undocumented immigrants. The services would secure lawful residency for youth placed in foster care in the County of Westchester.

The **goal and objective is in the best interest of the County in terms of public safety** because this program addresses the need for the Department to remain in compliance with Federal and State legislation that requires the Department to assess all undocumented youth placed in foster care for the purpose of determining eligibility of Special Immigration Juvenile Status (SIJS). Special Immigration Juvenile Status grants the youth in foster care lawful residency while the Department pursues a safety plan that serves the youth's best interests.

The **goal and objective is in the best interest of the County in terms of public health** in that the services provided are aimed at improving the overall health and well-being of the undocumented youth placed in foster care. The Department will be able to secure services on behalf of the child after Special Immigration Juvenile Status (SIJS) is secured. The services provided by Westchester Hispanic Coalition enhance the safety, permanency and prevention planning initiated by the Department.

The **goal and objective are in the best interest of the County in terms of fiscal responsibility** as the services provided are designed to keep the Department in compliance with Federal and State rules and regulations. By providing these services, the Department would avoid Federal and State sanctions that would decrease reimbursements for foster care services.

The **goal and objective will be tracked and monitored using the performance measurement indicators** developed by the department and approved by the County Budget Office. Performance Measure Indicators to be tracked by the Department will include number of referrals, completion of required documentation and legal representation of youth. The vendor will submit monthly statistics and quarterly performance reports in the format approved by the Department. The Department will be responsible for setting the milestones and tracking the vendor's achievements by reviewing the performance reports submitted by the vendor and making onsite visits.

This agreement is exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3 (a) xviii as this procurement is for the purpose of securing services for the advancement of the moral, physical, mental and social well-being of the youth of Westchester County.

Accordingly, authority is requested for the County of Westchester, acting by and through the Department of Social Services, to enter into an agreement with Westchester Hispanic Coalition, Inc. to provide the aforesaid services.

A resolution requesting the same is attached for your Honorable Board's approval.

APPROVED BOARD OF ACQUISITION & CONTRACT - 12-2-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Acting Commissioner of the Department of Social Services, be it hereby

RESOLVED, that the County of Westchester, acting by and through its Department of Social Services, is hereby authorized to enter into an agreement with Westchester Hispanic Coalition, Inc. pursuant to which Westchester Hispanic Coalition, Inc. will provide specialized immigration legal services for undocumented youth in foster care, for a term commencing on November 1, 2010 and terminating on October 31, 2011, for an amount not to exceed \$20,000 to be paid on a monthly basis pursuant to an approved budget; and be it further

RESOLVED, that this Contract is subject to County Appropriation; 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 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 either to 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 take such action and execute such documents as may be necessary and proper to effectuate the purposes hereof.

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2010	101	22	8900	5960	-----	\$ 3,333
2011	101	22	8900	5960	-----	\$16,667

Budget Funding Year(s): 2010 Start Date: 11/01/10 End Date: 10/31/11
(must match resolution)

Funding Source

Tax Dollars: 41%

State Aid: 36%

\$20,000
(must match resolution)

Federal Aid: 23%

Other _____

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