



Office of the District Attorney
County of Westchester

MEMORANDUM

23453

HONORABLE MEMBERS
BOARD OF ACQUISITION AND CONTRACT

October 27, 2011

JANET DiFIORE
DISTRICT ATTORNEY

RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH MINDY EISENBERG-STARK TO CONDUCT TAX FRAUD INVESTIGATIONS AS PART OF THE CRIMES AGAINST REVENUE PROSECUTION PROGRAM FOR THE PERIOD OCTOBER 1ST 2010 THROUGH SEPTEMBER 30, 2011 IN ORDER TO EXTEND THE AGREEMENT THROUGH DECEMBER 31, 2011 AND TO INCREASE THE NOT TO EXCEED AMOUNT OF THE AGREEMENT FROM \$74,000 TO \$83,200.

On November 23, 2010, your Honorable Board approved a grant agreement with the New York State Division of Criminal Justice Services for the District Attorney's Office to operate the Crimes Against Revenue Prosecution Program in the amount of \$338,000 in State Funds for the period October 1, 2010 through September 30, 2011, pursuant to an approved budget. As part of the Crimes Against Revenue Prosecution Program, your Honorable Board also approved an agreement with Mindy Eisenberg-Stark to provide consulting services as a tax fraud investigator in the sum of \$74,000 at a rate of \$100 per hour, inclusive of expenses, to conduct tax fraud investigations for the period October 1, 2010 through September 30, 2011 (the "Agreement"). The Agreement was subsequently executed. Authority is now being requested to amend the Agreement to extend the term of the Agreement through December 31, 2011, and to allow for bridge funding for the "gap" period between regular grant funding cycles thereby increasing the not to exceed amount of the Agreement by \$9,200. All other terms and conditions of the Agreement shall remain the same. The proposed amendment is being undertaken at the request of the New York State Division of Criminal Justice Services in order to change the term of the Crimes Against Revenue Prosecution Program grant year to a calendar year. This action will not increase the overall budget for this Program.

The proposed amendment agreement will assist in investigating and prosecuting those who violate tax laws, reclaim lost revenue, and increase voluntary compliance with applicable laws in compliance with the Crimes Against Revenue Prosecution Program. The work of Ms. Eisenberg-Stark will be monitored by personnel in the District Attorney's Office to ensure that she is meeting the goals and objectives established by the grant.

The proposed agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)vii of that policy.

Authority to amend this agreement is respectfully requested from your Honorable Board.

JD/di

RESOLUTION

Upon a communication from the District Attorney, be it hereby,

RESOLVED, that authority is granted to the County of Westchester to amend an agreement with Mindy Eisenberg-Stark to conduct tax fraud investigations as part of the Crimes Against Revenue Prosecution Program for the period October 1, 2010 through September 30, 2011 (the "Agreement") to extent the term of the Agreement through December 31, 2011 and to increase not to exceed amount of the Agreement from \$74,000 to \$83,200; and be it further,

RESOLVED, that all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the District Attorney or her duly authorized designee be and hereby is authorized and empowered to execute any and all documents necessary to effectuate the purposes hereof.

Original Agreement	\$74,000
This Amendment	<u>9,200</u>
TOTAL	\$83,200

Account to be charged/credited

Fund	Dept	Major Program & Phase or Unit	Object/Sub Object	Trust Account	Dollars
263	37	740K	4420	T740	\$9,200

Budget Funding Year(s) 2011 Start Date 10/01/11 End Date 12/31/11

(must match resolution)

Funding Source Tax Dollars _____

State Aid \$9,200

Federal Aid _____

\$9,200
(must match resolution)

Other _____