

34079

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Robin Schlaff
Director, Office for Women

DATE: July 24, 2013

SUBJECT: Authority to enter into an agreement with Legal Services of the Hudson Valley for the provision of legal services to the indigent at the County's Mount Vernon District Office, which is a more convenient location for those living in southern Westchester County, for the period March 1, 2013 to December 31, 2013 in an amount not-to-exceed \$431,250, net of County costs, to be paid quarterly pursuant to an approved budget

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement (the "Agreement") with Legal Services of the Hudson Valley ("LSHV"), pursuant to which LSHV would provide legal services to the indigent at the County's Mount Vernon District Office, which is a more convenient location for those living in southern Westchester County, for the period March 1, 2013 to December 31, 2013 in an amount not-to-exceed Four Hundred Thirty-One Thousand Two Hundred Fifty Dollars (\$431,250), to be paid quarterly pursuant to an approved budget, net of County costs which are set forth in Schedule A-1 which is attached hereto and made a part hereof.

The proposed Agreement will serve a public purpose by providing legal services to low-income residents of southern Westchester County. LSHV expects to provide representation in 325 cases. LSHV will subcontract with My Sisters' Place, Inc. ("My Sisters' Place") to provide legal services as well as crisis intervention and individual counseling to women who are victims of domestic violence, thereby enhancing the safety and independence of abused women. If abused women are helped to be safe they are not as likely to return to dependence on their abusers, thereby reducing public safety costs and medical costs. If they are helped to empower themselves to be independent and self-sufficient they are not as likely to be dependent on public assistance. My Sisters' Place seeks to provide services in 165 cases. LSHV will also subcontract with the Empire Justice Center ("EJC") to provide legal assistance to immigrants. Immigrants seeking legal relief have extra burdens such as language and cultural barriers vis-à-

vis using the courts and the legal system. Because of immigration issues, they may be fearful of the legal system. Legal assistance can keep these individuals from having to remain dependent on social service systems and help them mainstream into the American culture. EJC seeks to provide assistance in 70 cases during the proposed contract term.

The goals and objectives of the proposed Agreement will be tracked and monitored by the Office for Women, which will be responsible for monitoring LSHV's performance by means of site visits, as well as their quarterly statistics and narratives. The effectiveness of this program will be determined by the outcomes of closed cases. Outcome areas include matters dealing with consumer/finance; education; employment; family; health; housing; income maintenance; individual rights; and miscellaneous benefits. The following are some examples of benefits received as a result of over 900 closed cases during the previous contract term:

- 77 clients prevented eviction from housing
- 33 clients obtained or maintained custody of their children
- 382 clients obtained advice and counsel on a family matter
- 149 clients obtained advice and counsel on a housing matter
- 55 clients obtained advice and counsel on an income maintenance matter
- 16 clients obtained employment authorization or obtained/replaced a Green Card
- 12 clients obtained an adjustment of legal status
- 12 clients obtained citizenship

The proposed Agreement is exempt from the Westchester County Procurement Policy (the "Policy") pursuant to Section 3(a)(xiv) of that Policy, which exempts contracts with not-for-profit organizations for the purposes of providing aid, care and support to persons in need of public assistance.

I respectfully request approval of the attached proposed Resolution.

RESOLUTION

Upon a communication from the Director of the Office for Women, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement with Legal Services of the Hudson Valley ("LSHV") whereby LSHV will provide legal services to the indigent at the County's Mount Vernon District Office, which is a more convenient location for those living in southern Westchester County, for the period March 1, 2013 to December 31, 2013; and be it further

RESOLVED, that LSHV will subcontract with My Sisters' Place, Inc. to provide legal services as well as crisis intervention and individual counseling to women who are victims of domestic violence; and be it further

RESOLVED, that LSHV will subcontract with the Empire Justice Center to provide legal assistance to immigrants; and be it further

RESOLVED, that in consideration for services to be rendered, LSHV will be paid an amount not-to-exceed Four Hundred Thirty-One Thousand Two Hundred Fifty Dollars (\$431,250) to be paid quarterly, net of County costs which are set forth in Schedule A-1 attached hereto and made a part hereof, pursuant to an approved budget; and be it further

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 be and hereby is authorized and empowered to execute any and all documents and take any actions necessary to effectuate the purposes hereof.

Account to be charged/credited:

FUND	DEPT	Major Program, Program & Phase, Or Unit	Object/ Sub-Object	Trust Account	Dollars	Funding Year
101	52	2092	5100	N/A	\$431,250	2013

Budget Funding Year(s) 2013 **Start Date:** 3/1/2013 **End Date:** 12/31/2013
(must match resolution)

Funding Source: Tax Dollars \$431,250
State Aid _____
Federal Aid _____

\$431,250

(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/05/2013 - SUMMARY VIEW - SECRETARY

Schedule A

Westchester Mount Vernon
March 1, 2013- December 31, 2013

SCOPE OF SERVICES FOR THE AGREEMENT BETWEEN THE COUNTY OF WESTCHESTER AND LEGAL SERVICES OF THE HUDSON VALLEY FOR THE PROVISION OF CIVIL LEGAL SERVICES TO ELIGIBLE CLIENTS AT A LOCATION IN MT. VERNON.

A. PURPOSE

The County of Westchester will retain Legal Services of the Hudson Valley (“LSHV”) to expand its provision of free comprehensive civil legal services to poor and low-income Westchester County residents out of an office in Mt. Vernon.

B. SCOPE OF SERVICES

Legal Services of the Hudson Valley will ensure that **3.3** Full Time Equivalent (FTE) attorneys, **1.0** FTE paralegal, and **1.0** FTE domestic violence counselor are retained to provide the full range of civil legal services to poor and low-income Westchester County residents. It will directly employ **1.8** FTE attorneys, and **1.0** FTE paralegal. Legal Services of the Hudson Valley will subcontract with My Sisters’ Place to directly employ **.8 FTE attorney** and **1.0 FTE domestic violence counselor**, and with the Empire Justice Center to directly employ **.7 FTE attorney**. The following services will be provided:

1. Legal Services of the Hudson Valley will provide advice, counsel, brief services and direct representation in **325** cases to poor and low-income eligible individuals and families in a wide array of civil matters including housing, public benefits, education, elder law, consumer, employment and family law matters. It will also provide services;
2. Legal Services of the Hudson Valley will provide all services in connection with the legal representation described in 1 above, such as conducting intake and interviews, doing legal research, drafting legal documents, conducting client-related investigations, and negotiating and settling disputes;
3. Legal Services of the Hudson Valley will conduct community outreach and will conduct community legal education seminars as needed.
4. Legal Services of the Hudson Valley will subcontract with **My Sisters’ Place** to provide legal services (which may include direct representation, advice and counsel, brief services, information, and referrals) to **at least 165 cases** in the contract year. My Sisters’ Place’s attorney will provide assistance to victims of domestic violence in the New Rochelle Family Court in matters including family offenses, custody, visitation, paternity, child support and spousal support. My Sisters’ Place’s counselor will provide supportive counseling, crisis intervention, safety planning, emergency shelter placement when deemed necessary, advocacy and other practical services, including referrals to other MSP services and outside agencies and follow-up

to **85 victims** during the contract year.

5. Legal Services of the Hudson Valley will subcontract with the **Empire Justice Center** to directly provide: advice and full representation to eligible persons with immigration problems such as citizenship applications, family reunifications, petitions for relatives, replacement and renewal of green cards, work authorization applications and extensions, legal representation in any forum requirements, and political asylum applications and any other immigration relief available under current law. The Empire Justice Center will provide assistance in **70 cases** during the contract year.

6. Legal Services of the Hudson Valley, My Sisters' Place, and The Empire Justice Center will all provide culturally and linguistically appropriate programs and services;

7. Legal Services of the Hudson Valley will provide reports to the County of Westchester as required.

8. The County of Westchester will pay **\$431,250** to Legal Services of the Hudson Valley for 10 months of services to be performed by **Legal Services of the Hudson Valley, My Sisters' Place and The Empire Justice Center.**

Schedule A-1

COUNTY'S COSTS TO BE DEDUCTED FROM APPROPRIATED AMOUNT

ONGOING MONTHLY COSTS

1,454.00 Monthly Rent
1,965.00 Monthly IT (Phone & Internet) Charges
3,419.00 Total Monthly Costs

ONE-TIME RENOVATION COSTS

3,300.00 Electrician
1,740.00 SimplexGrinnell
900.00 Locksets
213.86 Light Fixtures
~~3,100.00~~ Labor
395.50 Supplies
479.10 Doors
10,128.46 Total Renovation Costs