

35346

August 2, 2013

TO: Honorable Members
Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner of Probation

RE: Authority for the County of Westchester (the "County") to enter into a grant renewal agreement with the State of New York, Office of Victim Services, to receive a grant for the amount of \$94,491, to enable the County's continued operation of its Victims Outreach Services Program, for a term October 1, 2013 through September 30, 2014

The County of Westchester (the "County") acting by and through its Department of Probation (the "Department") has been notified of a renewal grant from the State of New York, Office of Victim Services ("NYS") in the amount of \$94,491 and identified by New York State Comptroller Number C-501185 (the "grant"), to enable the County's continued operation of the Victims Outreach Services Program to provide various services to crime victims within the County (the "Program") for the period October 1, 2013 through September 30, 2014.

Authority is therefore requested for the County acting by and through the Department to enter into a grant renewal agreement with NYS to receive the grant to enable the County's continued operation of the Program for a term October 1, 2013 through September 30, 2014 (the "Grant Renewal Agreement").

The County shall indemnify NYS as part of the terms of the Grant Renewal Agreement pursuant to the Grant Renewal Agreement's incorporation of the terms of a prior original grant agreement between the County and NYS, dated on or about March 12, 2010, regarding the County's operation of the Victims Outreach Services Program for a term October 1, 2009 through September 30, 2012, with said indemnity provision reading as follows:

The Contractor shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property out of or related to the services rendered by the Contractor or its subcontractors pursuant to this AGREEMENT. The

Contractor shall indemnify and hold harmless the STATE and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this AGREEMENT.

The Program as provided by the Grant Renewal Agreement enables the Department to improve and strengthen crime victim outreach services and through the existence of a County probation officer acting as a Victim Resource Coordinator for crime victims within the County.

The Grant Renewal Agreement **serves a public purpose** by promoting coordination and advocacy across crime victim service disciplines to insure the safety of current and future crime victims, establishing crime victim state of the art services and providing a proactive approach to the delivery of crime victim services by ensuring crime victim receipt of the maximum amount of benefits available to them within New York State.

The Grant Renewal Agreement is in the **County's best interest** regarding **health and the environment** as it provides, through the Victim Resource Coordinator's efforts, services to crime victims throughout the County that addresses their physical and psychological needs resulting from their crime victim experiences.

The Grant Renewal Agreement is in the **County's best interest** regarding **safety and security** by insuring, through the Victim Resource Coordinator's efforts, that an offender's presentence report contains recommendations that reflect all of the victim's potential safety concerns and notifying crime victims when a subject incarcerated offender has been granted probation.

The Grant Renewal Agreement is in the **County's best interest** regarding **fiscal responsibility** by insuring, through the Victim Resource Coordinator's efforts, that an offender's presentence report contains an accurate accounting of the victim's losses from the crime, expenses incurred because of the crime, and anticipated future expenses because of the crime to potentially judicially obligate an offender to pay such aforementioned costs, as well as providing proper treatment and counseling to crime victims to prevent a potential worsening of their physical and psychological condition that could cause initial or increased County expenditures for the treatment of same.

The Grant Renewal Agreement's **performance measures** shall include the number of crime victims assisted by the Victims Service Coordinator with compensation claims, counseling, providing contacts for follow up questions and needs, information and referrals, criminal justice advocacy and personal advocacy with such **performance measures** to be **tracked and monitored** on a quarterly basis by the County's completion of mandated reports designed by the New York State Crime Victim's Board.

I certify that my Department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant

Terms”), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

Approval of the attached resolution by your Honorable Board is therefore respectfully requested.

RAP/LR/cji

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/29/2013 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication the Commissioner of the Department of Probation, be it hereby

RESOLVED, that authority is hereby granted to the County of Westchester (the "County"), acting by and through its Department of Probation, to enter into a grant renewal agreement with the State of New York, Office of Victim Services ("NYS"), to receive a grant in the amount of \$94,491 and identified by New York State Comptroller Number C-501185, to enable the County's continued operation of its Victims Outreach Services Program that provides various services to crime victims within the County, for a term October 1, 2013 through September 30, 2014 (the "Grant Renewal Agreement"); and be it further

RESOLVED, that as part of the terms of the Grant Renewal Agreement, the County shall indemnify NYS by being solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property out of or related to the services rendered by the County or any of its subcontractors pursuant to the Grant Renewal Agreement. The Contractor shall indemnify and hold harmless NYS and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to the Grant Renewal Agreement.

RESOLVED, that that the County Executive or his authorized designee is empowered to execute any document necessary to implement this Resolution.

Account to be
Charged/Credited

	Fund	Dept	Major Program Program & Phase or Unit	Revenue/ Object	Trust Account	Dollars
2013	101	39	1000	9771		\$23,623
2014	101	39	1000	9771		\$70,868

Budget Funding Year(s) 2013/2014 Start Date October 1, 2013 End Date September 30, 2014
(must match resolution)

Tax Dollars _____

Funding Source

State Aid \$94,491 – NYS Office of Victim Serv. – Revenue# 9771

\$94,491 Federal Aid _____
(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/29/2013 - JOSEPH VIEIRA, SECRETARY