

Office of the County Attorney

63400

TO: Honorable Board of Acquisition and Contract

FROM: John M. Nonna  
County Attorney

DATE: May 23, 2018

RE: Resolution authorizing the County of Westchester to extend a Grant Agreement (Distribution #3 also known as #C000355) with the New York State Office of Indigent Legal Services with an original term commencing on June 1, 2013 which term was thereafter extended to May 31, 2017, and further extended to May 31, 2018, to a new termination date of May 31, 2019, and to amend an Agreement with The Legal Aid Society of Westchester County and the Westchester County Bar Association for the same purpose

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On December 18, 2014, your Honorable Board approved a resolution authorizing the County of Westchester (the "County") to enter into a grant agreement (the "Grant Agreement") for Distribution #3 ( Contract #C000355) with the New York State Office of Indigent Legal Services ("OILS") for the receipt of \$2,793,498.00 to improve the quality of indigent legal services provided by the County for the period June 1, 2013 through May 31, 2016 and to enter into an Agreement with The Legal Aid Society of Westchester County ("The Legal Aid Society") and the Westchester County Bar Association to implement the County's indigent legal services work plan for the aforesaid grant for the period June 1, 2013 through May 31, 2016 (the "Agreement").

On October 13, 2016, your Honorable Board approved a first extension of the term of the Grant Agreement and Agreement from May 31, 2016 to May 31, 2017. On December 7, 2018, your Honorable Board approved a second extension of the term of the Grant Agreement and Agreement from May 31, 2017 to May 31, 2018.

The Legal Aid Society, on behalf of the County, requested a third extension of the Grant Agreement from OILS to complete the work plan associated with the Grant Agreement and an extension has been approved by OILS through May, 31 2019. Authority is being requested herein to execute the third extension of the Grant Agreement with OILS and to execute an

extension of the Agreement between the County and The Legal Aid Society and the Westchester County Bar Association for the same purpose

The extension of the term of the Grant Agreement and the Agreement will serve a public purpose in that it will enable the County to fulfill and improve its lawful obligation of providing counsel to certain indigent persons. The goals and objectives are to ensure that effective counsel is provided in a cost efficient manner.

The extension of the Grant Agreement with OILS is exempt from the County's procurement policy pursuant to Section 3(a)iii. The extension of the Agreement with The Legal Aid Society and the Westchester County Bar Association is exempt from the County's procurement policy pursuant to Section 3(a)xiv.

Accordingly, attached herewith is a resolution authorizing an extension of the Grant Agreement with OILS and the Agreement with The Legal Aid Society and the Westchester County Bar Association through May 31, 2019. No County funds will be expended for this purpose.

JMN/lac  
Attachment

APPROVED BOARD OF ACQUISITION CONTRACT 106928/2018 J. KAMRIJAJ, SECRETARY

**RESOLUTION**

Upon a communication from the County Attorney, be it

**RESOLVED**, that the County of Westchester (the “County”) is hereby authorized to amend a grant agreement previously executed by the County and the New York State Office of Indigent Legal Services for Distribution #3 (Contract #C000355) in the amount of \$2,793,498.00 to improve the quality of indigent legal services provided by the County for the period June 1, 2013 to May 31, 2016 (the “Grant Agreement”) to extend the termination date (previously extended from May 31, 2017 and May 31, 2018) from May 31, 2018 to May 31, 2019; and be it further

**RESOLVED**, that the County is hereby authorized to amend an agreement previously executed by the County and The Legal Aid Society of Westchester County and the Westchester County Bar Association in connection with a grant for Distribution #3 (Contract # C000355) from the New York State Office of Indigent Legal Services for the improvement of the quality of indigent legal services for the period June 1, 2013 to May 31, 2016 (the “Agreement”) to extend the termination date (previously extended from May 31, 2017 and May 31, 2018) from May 31, 2018 to May 31, 2019; and be it further

**RESOLVED**, that the amendment to the Grant Agreement and the amendment to the Agreement shall be at no cost to the County; and be it further

**RESOLVED**, that all other terms and conditions of the Grant Agreement and Agreement shall remain the same; and be it further

**RESOLVED**, that the County Executive, or his duly authorized designee, is empowered to execute all documents necessary to effectuate the purposes herein.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars

Budget Funding Year(s) \_\_\_\_\_ Start Date 6/1/13 End Date 5/31/19  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 \$ 0.00 Federal Aid \_\_\_\_\_  
 (must match resolution)  
 Other \_\_\_\_\_