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Date: October 16, 2018

To: Board of Acquisition and Contract

From: John M. Nonna
County Attorney

Re: Authority to exempt from the Westchester County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, an agreement with the law firm of Baker & McKenzie LLP for the provision of legal services consisting of the drafting and submission of comments on certain recently-proposed regulations from the United States Department of the Treasury.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an agreement (the "Agreement") between the County of Westchester (the "County") and the law firm of Baker & McKenzie LLP ("Baker & McKenzie"), pursuant to which Baker & McKenzie will provide legal services consisting of the drafting and submission of comments on certain recently-proposed regulations from the United States Department of the Treasury (the "Services"). The term of the proposed Agreement shall commence when Baker & McKenzie begins to provide the Services and continue until Baker & McKenzie has provided all of the Services.

Baker & McKenzie is a large, sophisticated, and highly-experienced law firm with tremendous resources at its disposal. Accordingly, it is very desirable for the County to have Baker & McKenzie provide the Services to the County, especially with said Services being provided on a pro bono basis, at no cost to the County except for a flat fee of Five Thousand Dollars (\$5,000.00) to offset the various expenses that Baker & McKenzie will incur in the course of its provision of the Services.

Therefore, it is proposed that the best interests of the County would be served by exempting the proposed Agreement from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof. Accordingly, a resolution to exempt this procurement is hereby submitted for your consideration.

I respectfully recommend the adoption of the attached Resolution.

JMN/bdm/nn

RESOLUTION

Upon a communication from the County Attorney, be it hereby:

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of an agreement with Baker & McKenzie LLP ("Baker & McKenzie"), pursuant to which Baker & McKenzie will provide legal services consisting of the drafting and submission of comments on certain recently-proposed regulations from the United States Department of the Treasury.

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/18/2010 - USIP/PAJ SECRETARY