

65500

Date: October 16, 2018

To: Board of Acquisition and Contract

From: John M. Nonna  
County Attorney

Re: Authority for the County of Westchester to enter into 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.

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Authority is respectfully requested for the County of Westchester (the "County") to enter into an agreement (the "Agreement") to retain, at County expense, 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"), which Baker & McKenzie will provide on a pro bono basis 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. 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.

The proposed Agreement will serve a public purpose by providing the County with the Services, which are intended to help protect County residents from adverse financial effects of the above-mentioned proposed regulations

The goal and objective of the proposed Agreement is to provide the County with the Services, and thereby help protect County residents from adverse financial effects of the above-mentioned proposed regulations

The goal and objective of the proposed Agreement is in the best interests of the County in terms of fiscal responsibility, as the Services will be provided at almost no cost to the County and are intended to help protect County residents from adverse financial effects of the above-mentioned proposed regulations

The goal and objective of the proposed Agreement will be tracked and monitored by the Office of the County Attorney.

On October 15, 2018 the Westchester County Board of Legislators adopted Act 2018-176, which authorized the proposed Agreement.

Authority to exempt the proposed Agreement from the requirements of the Westchester County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, has been submitted to your Honorable Board by a separate resolution of even date herewith.

I respectfully recommend the adoption of the attached Resolution.

JMN/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/18/2018 - L. S. MARIJAJ, SECRETARY

**RESOLUTION**

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

**RESOLVED**, that the County of Westchester (the “County”) is hereby authorized to enter into an agreement (the “Agreement”) to retain, at County expense, 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”), which Baker & McKenzie will provide on a pro bono basis 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; and be it further

**RESOLVED**, that the term of the Agreement shall commence when Baker & McKenzie begins to provide the Services and continue until Baker & McKenzie has provided all of the Services; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes hereof.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	18	1000	4923		\$5,000.00

Budget Funding Year(s): 2018  
(must match resolution)

Start Date: When Baker & McKenzie  
begins to provide the  
Services.

End Date: When Baker &  
McKenzie has  
provided all of the  
Services.

Funding Source

Tax Dollars: \$5,000.00

State Aid: \_\_\_\_\_

**\$5,000.00**

Federal Aid: \_\_\_\_\_

(must match resolution)

Other: \_\_\_\_\_