



**Office of the District Attorney
County of Westchester**

MEMORANDUM

71966

October 4, 2019

**TO: HONORABLE MEMBERS
BOARD OF ACQUISITION AND CONTRACT**

**FROM: ANTHONY A. SCARPINO JR.
DISTRICT ATTORNEY**

RE: RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO:

- 1) ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF VICTIM SERVICES TO (i) ACCEPT A GRANT IN THE AMOUNT OF \$251,880 IN STATE AND FEDERAL PASS THROUGH FUNDS AND (ii) CONTRIBUTE \$93,209 IN COUNTY MATCHING FUNDS, PAYABLE PURSUANT TO AN APPROVED BUDGET, FOR THE DISTRICT ATTORNEY'S OFFICE TO PROVIDE VARIOUS SERVICES TO ASSIST CRIME VICTIMS FOR THE PERIOD FROM OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020; AND
- 2) ENTER INTO A SUBCONTRACT AGREEMENT WITH WESTCHESTER JEWISH COMMUNITY SERVICES, INC., IN AN AMOUNT NOT-TO-EXCEED \$85,806, PAYABLE PURSUANT TO AN APPROVED BUDGET, FOR THE PROVISION OF PSYCHOTHERAPY SERVICES TO CRIME VICTIMS, FOR THE PERIOD FROM OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020.

Authority is sought for the County of Westchester (the "County"), acting by and through the Office of the District Attorney (the "District Attorney's Office") to enter into an agreement (the "Grant Agreement") with the New York State Office of Victim Services ("NYS OVS") to (i) accept a grant (the "Grant") in the amount of \$251,880 in state and federal pass through funds and (ii) contribute \$93,209 in matching funds, payable pursuant to an approved budget, for the District Attorney's Office to provide various services to assist crime victims for the period from October 1, 2019 through September 30, 2020.

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 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.

The goal of the Grant is to continue to provide a centralized, accessible crime victims' assistance unit within the District Attorney's Office. This unit provides all direct services and benefits offered by the NYS OVS. These services include compensation claim assistance, on-site counseling, and follow-up contact with victims, criminal justice support and advocacy and personal advocacy to victims.

The public purpose of the Grant is to protect the needs and extend the rights of all innocent victims of crime in New York State. Funding from the Grant will also expand and facilitate the coordination of services and assistance available from federal, state and local government agencies as well as other agencies, shelters and organizations.

The Grant Agreement does not constitute a procurement and as such is not subject to the requirements of the County Procurement Policy.

Authority is also sought for the County, acting by and through the District Attorney's Office, to enter into an agreement (the "Contractor Agreement") with Westchester Jewish Community Services, Inc. ("WJCS"), in an amount not-to-exceed \$85,806, payable pursuant to an approved budget, for the provision of psychotherapy services to crime victims, for the period from October 1, 2019 through September 30, 2020.

With respect to the Contractor Agreement with WJCS, the County has complied with sections 5 and 13 of the Westchester County Procurement Policy. On September 19, 2019, the District Attorney's Office issued a Request for Proposals (the "RFP"), seeking the services of a therapist to provide psychotherapy services to crime victims. The RFP was posted on the County's RFP website. In addition, the RFP was sent to the prior incumbents of this position of the NYS OVS grant, Elizabeth Bussian Psychotherapy LLC and WJCS. Despite these efforts, only one proposal, the one submitted by WJCS, was received in response to the RFP. The District Attorney's Office reviewed WJCS' proposal with reference to the evaluation criteria set forth in the RFP. After careful consideration, WJCS was selected to provide these services because they were able to provide the professional service needed for this grant. In addition, we have a long-standing professional relationship with WJCS and we know and respect the quality of the services WJCS provides. Accordingly, for the foregoing reasons, it is proposed that awarding the Contractor Agreement to WJCS would be in the County's best interest.

These agreements will be monitored by the adherence to the work plan outlined by NYS OVS which will be documented in the quarterly fiscal and programmatic reports submitted to NYS OVS.

Accordingly, your Board's approval of the attached resolution is most respectfully requested.

RESOLUTION

Upon communication from Anthony A. Scarpino Jr., the District Attorney, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through the Office of the District Attorney ("District Attorney's Office"), is hereby authorized to enter into an agreement (the "Grant Agreement") with the New York State Office of Victim Services ("NYS OVS") to (i) accept a grant in the amount of \$251,880 in state and federal pass through funds, and (ii) contribute \$93,209 in matching funds, payable pursuant to an approved budget, for the District Attorney's Office to provide various services to assist crime victims, for the period from October 1, 2019 through September 30, 2020; and be it further

RESOLVED, that the County, acting by and through the District Attorney's Office is further authorized to enter into an agreement (the "Contractor Agreement") with the Westchester Jewish Community Services, Inc. ("WJCS"), in an amount not-to-exceed \$85,806, payable pursuant to an approved budget, for psychotherapy services for crime victims, for the period from October 1, 2019 through September 30, 2020; and be it further

RESOLVED, that the Contractor Agreement is subject to County appropriations; and be it further

RESOLVED, that the Contractor 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 the Contractor Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to WJCS, then WJCS shall have the right to terminate the Contractor Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the District Attorney or his duly authorized designee be and hereby is authorized and empowered to take any and all action and execute any and all documents necessary to effectuate the purposes hereof.

Agreement #

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
263	37	635U	9854	T635	\$50,376
263	37	635U	9853	T635	\$201,504
101	37	0010	4912	T635	\$93,209
263	37	635U	4380	T635	\$85,806

Budget Funding Year(s) 2020 Start Date 10/01/2019
(must match resolution)

End Date 09/30/2020

Funding Source Tax Dollars; \$93,209

State Aid; \$50,376

Federal Aid; \$201,504

Total: \$345,089

(must match resolution)

Other _____