

74389

Date: February 3, 2020

To: Board of Acquisition and Contract

From: Tejash V. Sanchala, Esq.
Executive Director

Re: Authority to enter into an agreement with Mayo Bartlett for the provision of consulting services to the Westchester County Human Rights Commission in connection with addressing hate incidents in Westchester County, including conducting education and outreach activities, for a term commencing on February 1, 2020 and continuing through December 31, 2020 for an amount not-to-exceed \$50,000.00, payable at the rate of \$125.00 per hour.

Authority is sought for the County of Westchester (the "County") to enter into an agreement with Mayo Bartlett, pursuant to which Mr. Bartlett will provide consulting services to the Westchester County Human Rights Commission (the "Commission"), on an "as needed" basis, in connection with addressing hate incidents in Westchester County, including conducting education and outreach activities, for the period from February 1, 2020 through December 31, 2020. In consideration for services to be rendered, the County shall pay Mr. Bartlett at the rate of \$125.00 per hour, not to exceed the aggregate sum of \$50,000.00, inclusive of expenses (the "Agreement"). It should be noted that while Mr. Bartlett is an attorney, he has not been hired as outside counsel to the County and will under no circumstances represent to third parties that he is acting as the County's counsel, but only as the County's consultant for the purposes described herein.

The proposed Agreement will serve a public purpose by helping the Commission combat hate in the county.

Authority to exempt this Agreement from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)xxi thereof, has been granted by your Honorable Board in accordance with a separate resolution of even date herewith.

An appropriate resolution is herewith attached for your Honorable Board's consideration.

TVS/jpg
Attachment

RESOLUTION

Upon a communication from the Executive Director of the Westchester County Human Rights Commission, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement with Mayo Bartlett, pursuant to which Mr. Bartlett will provide consulting services to the Westchester County Human Rights Commission, on an “as needed” basis, in connection with addressing hate incidents in Westchester County, including conducting education and outreach activities, for the period from February 1, 2020 through December 1, 2020 (the “Agreement”); and be it further

RESOLVED, that in consideration for services to be rendered, the County shall pay Mr. Bartlett at the rate of \$125.00 per hour, not to exceed the aggregate sum of \$50,000, inclusive of expenses; and be it further

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

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

RESOLVED, that the County executive or his duly authorized designee is hereby authorized to execute all instruments and take all actions necessary to implement this Resolution.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	33	1000	4380		\$50,000

Budget Funding Year(s) 2020 Start Date 02/01/2020 End Date 12/01/2020
(must match resolution)

Funding Source Tax Dollars \$50,000
State Aid _____
\$ 50,000 Federal Aid _____
(must match resolution) Other _____