

74391

**Date:** February 1, 2020

**To:** Board of Acquisition and Contract

**From:** Tejash V. Sanchala, Esq.  
Executive Director

**Re:** Resolution to exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xxi thereof, the procurement of 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.

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Authority is hereby requested from your Honorable Board to exempt the procurement of an agreement with Mayo Bartlett from the Westchester County Procurement Policy and Procedures ("Procurement Policy"). Pursuant to the terms of the proposed agreement, Mr. Bartlett will provide consulting services to the Westchester County Human Rights Commission in connection with addressing hate incidents in Westchester County, including conducting education and outreach activities. The term of the proposed agreement will commence on February 1, 2020 and terminate on December 31, 2020. In consideration for services rendered, the County will pay Mr. Bartlett at the rate of \$125.00 per hour, not-to-exceed the aggregate sum of \$50,000.00, payable monthly as invoiced. The aforementioned hourly rate reflects a significant reduction from Mr. Bartlett's customary rate.

Ordinarily, under Section 5(b) of the Procurement Policy, the County is required to solicit written quotations from no fewer than three persons customarily providing such services, and, if deemed appropriate, to inquire as to the qualifications and experience of such persons. However, Mr. Bartlett has extensive experience in matters involving hate incidents and hate crimes. Mr. Bartlett worked for the Westchester County District Attorney's Office for more than ten years and served as a litigator prior to his appointment as the Chief of the Bias Crimes Unit. Mr. Bartlett has provided hate crime training for the law enforcement community and he has worked with community organizations to ensure that hate crimes are properly identified, reported and investigated.

In addition, Mr. Bartlett was an active member of the New York State Hate Crimes Coalition, an organization that played a pivotal role in the passage of the Hate Crime Act of 2000, the first comprehensive hate crime legislation in New York State. Mr. Bartlett is a former Chair of the Westchester County Human Rights Commission. Mr. Bartlett has served as an Adjunct Professor of Law at the Elisabeth Haub School of Law at Pace University, where he lectured on Ethics.

Pursuant to Section 3 (a) (xxi) of the Procurement Policy, where this Honorable Board determines by resolution passed prior to the commencement of procurement that compliance with the Procurement Policy would not be in the best interests of the County, the requirements of the Procurement Policy may be waived. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of this agreement from the County Procurement Policy.

Your Honorable Board's approval of the annexed resolution is respectfully requested.

TVS/jpg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/06/2020 - LISA MARIJAJ, SECRETARY

## RESOLUTION

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

**RESOLVED**, that pursuant to Section 3 (a) (xxi) of the Westchester County Procurement Policy and Procedures, it is determined that application of the procedural requirements contained therein, including the necessity of soliciting written price quotations, is neither cost effective nor expedient and accordingly not in the best interests of the County of Westchester (“County”) in connection with the procurement of an agreement with Mayo Bartlett for consulting services to the Westchester County Human Rights Commission concerning hate-related issues in Westchester County.

APPROVED BOARD OF ACQUISITION & CONTRACT 02/06/2020 - LISA MRIJAJ, SECRETARY