

**32371**

**TO:** Honorable Members of the Board of Acquisition and Contract

**FROM:** Diane G. Balistreri  
Coordinator, Office for Women

**DATE:** March 5, 2013

**SUBJECT:** Authority to exempt from the Westchester County Procurement Policy an agreement with Empire Justice Center to provide various legal services for immigrant men and women who present problems associated with immigration, housing, employment, education, health and other systems pursuant to Section 3(a)(xxi)

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Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an agreement with Empire Justice Center ("EJC") for the provision of various legal services for immigrant men and women who present problems associated with immigration, housing, employment, education, health and other systems, for the period January 1, 2013 to December 31, 2013, for an amount not-to-exceed One Hundred Thousand Dollars (\$100,000).

EJC was selected in 2009 among proposals from three agencies seeking to provide these services for the County, and has successfully done so under County contracts since. Immigrants in need of legal services are comfortable accessing EJC. They recognize the agency's good reputation established in the immigrant community because of their success rates in obtaining immigration status and related benefits. For these reasons, it is proposed that it would not be in the interests of the County to reopen the selection process.

The proposed agreement will serve a public purpose by providing legal assistance to immigrant men and women of Westchester. Immigrants seeking legal relief have extra burdens such as language and cultural barriers vis-à-vis using the courts and the legal system. Because of immigration issues, they may be fearful of the legal system. Legal assistance can keep these individuals from having to remain dependent on social service systems and help them mainstream into the American culture.

The goals and objectives of the proposed agreement are for EJC to provide 275 individuals with legal advice and counsel as well as initiate 75 new cases, 15% of which will be focused on wage-related issues. In addition, they will hold 15 educational community events, four of which will be focused on wage issues. During the previous contract term, EJC provided 282 individuals with advice and counsel, initiated 77 new cases and held 17 community events.

The primary focus of the legal assistance to be provided will be on assisting immigrants with immigration proceedings, which may include securing work authorizations which will help provide financial stability to these immigrants and their families, and in ensuring that they are paid the corresponding wage for the work they perform.

The goals and objectives of the proposed agreement will be tracked and monitored by the Westchester County Office for Women, which will be responsible for monitoring EJC's performance under this agreement by means of site visits, as well as their quarterly statistics and narratives. The effectiveness of this program will be determined by the outcomes of closed cases. Outcome areas include matters dealing with consumer/finance, education, employment, family, health, housing, income maintenance, individual rights and miscellaneous benefits.

Under the Westchester County Procurement Policy Section 3(a)(xxi), your Honorable Board may determine "by resolution passed prior to commencing such procurement, that compliance with this policy would not be in the best interests of the County." In the interest of maintaining this already effective arrangement, and for the reasons set forth above, it is proposed that the best interests of the County would be served by exempting this contract from the Westchester County Procurement Policy an agreement with Empire Justice Center.

Accordingly, I recommend approval of the attached proposed Resolution.

# RESOLUTION

Upon a communication from the Coordinator of the Office for Women, be it hereby

**RESOLVED**, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, it is hereby 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 in connection with the procurement of an agreement for various legal services for immigrant men and women who present problems associated with immigration, housing, employment, education, health and other systems with Empire Justice Center, 119 Washington Avenue, Albany, New York 12210.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/02/2013 JUMP/WIRA, SECRETARY