

32372

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 enter into 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 for an amount not-to-exceed \$100,000 for the period January 1, 2013 to December 31, 2013

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement (the "Agreement") with Empire Justice Center ("EJC") to provide 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), to be paid quarterly pursuant to an approved budget.

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.

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

Accordingly, I recommend approval of the attached Resolution.

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement (the "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, for the period January 1, 2013 to December 31, 2013, for an amount not-to-exceed One Hundred Thousand Dollars (\$100,000), to be paid quarterly pursuant to an approved budget; 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 be and hereby is authorized and empowered to execute any and all documents and take any actions necessary to effectuate the purposes hereof.

Account to be charged/credited:

FUND	DEPT	Major Program, Program & Phase, Or Unit	Object/ Sub-Object	Trust Account	Dollars	Funding Year
101	11	0900	4380	N/A	\$100,000	2013

Budget Funding Year(s) 2013
(must match resolution)

Start Date: 1/1/2013

End Date: 12/31/2013

\$100,000

(must match resolution)

Funding Source:

Tax Dollars \$100,000

State Aid _____

Federal Aid _____

Other _____

SCHEDULE "A"
Workplan

Representation

We will provide representation, primarily, in a comprehensive range of immigration law matters; and we will also represent immigrants in housing, employment, education and health matters, and in other legal issue areas.

Provision of services

Services will be provided in our White Plains and Mt Vernon offices, and in the field as required. Services will be provided chiefly by Daniel Villena, a full time attorney with 100% of his time committed to the project. Fifteen percent of Robert Cisneros' time (staff attorney) will be dedicated to the initiative. Additionally, Pace Law students will work on this project under the supervision of the attorneys.

Goals and Outcomes

We will provide advice and counsel at least 275 times. We will provide representation to 55 persons in up to 75 legal matters. 15% of the 75 will be focused on wage-related issues. Lastly, we will conduct 15 community education events, four of which will be focused on wage issues.

Our progress toward service goals will be recorded on the agreed upon "Empire Justice Stats" Microsoft Excel spreadsheet and will be submitted quarterly.