



Office of the District Attorney
County of Westchester

MEMORANDUM

33070

March 27, 2013

TO: Board of Acquisition and Contract

FROM: Janet DiFiore
District Attorney

RE: Authority to exempt from the Westchester County Procurement Policy and Procedures an agreement with Mindy Eisenberg-Stark to conduct tax fraud investigations as part of the Crimes Against Revenue Prosecution Program for the period January 1, 2013 through December 31, 2013

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy an agreement with Mindy Eisenberg Stark, in the amount of Seventy Two Thousand (\$72,000) Dollars. Pursuant to this Agreement, Mindy Eisenberg-Stark will conduct tax fraud investigations as part of the Crimes Against Revenue Prosecution Program which is funded through a grant from the New York State Division of Criminal Justice Services for the period January 1, 2013 through December 31, 2013.

This exemption request is being sought for the following reasons. Ms. Stark has been working on highly confidential and complex financial cases within our office. The cases and investigations are long-term requiring knowledge of the transactions, accounts and people involved. Ms. Stark in her capacity as a Tax Fraud Investigator, has worked closely with the attorneys assigned to these cases and has prepared schedules and summaries to assist them as they prepare for arrest, grand jury and trial. She also draws conclusions and makes connections from voluminous materials and independent research for testimony and presentation to both Grand and Petit Jury in pending investigations. To lose the continuity of all the work that has already been done and in the process would be a major set back to this office and those cases to be prosecuted.

Pursuant to Section 3(a)xxi, the Westchester County Procurement Policy and Procedures are not applicable to any procurement for which your Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the policy would not be in the best interests of the County. 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 Procurement Policy. Accordingly, a resolution to exempt the procurement of an agreement with Mindy Eisenberg-Stark is hereby submitted for your Honorable Board's consideration.

RESOLUTION

Upon communication from the District Attorney, be it hereby,

RESOLVED, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting price quotations, is neither cost effective nor expedient, and accordingly not in the best interest of the County, in connection with the procurement of an agreement with Mindy Eisenberg-Stark to conduct Tax Fraud Investigations as part of the Crimes Against Revenue Prosecution Program.

APPROVED BOARD OF ACQUISITION & CONTRACT, MAY 17, 2013, DOMARY VIEIRA, SECRETARY