

39874

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Robin Schlaff
Director, Office for Women

DATE: September 15, 2014

SUBJECT: Authority to enter into an agreement with Legal Services of the Hudson Valley for the provision of free comprehensive civil legal services to the indigent as well as legal assistance and representation in immigration cases for victims of domestic violence at the County's Mount Vernon District Office, which is a more convenient location for those living in southern Westchester County, for a term commencing January 1, 2014 and continuing through December 31, 2014, in an amount not-to-exceed \$583,025, net of County charges, to be paid quarterly pursuant to an approved budget

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester, acting by and through its Office for Women, (the "County") to enter into an agreement (the "Agreement") with Legal Services of the Hudson Valley ("LSHV"), pursuant to which LSHV would provide free comprehensive civil legal services to the indigent as well as legal assistance and representation in immigration cases for victims of domestic violence at the County's Mount Vernon District Office, which is a more convenient location for those living in southern Westchester County, for a term commencing January 1, 2014 and continuing through December 31, 2014, in an amount not-to-exceed Five Hundred Eighty-Three Thousand Twenty-Five Dollars (\$583,025), net of County charges, to be paid quarterly pursuant to an approved budget.

The County's costs and expenses will be deducted from the appropriated amount prior to quarterly payment, in accordance with Schedule A-1 attached hereto and made a part hereof.

The proposed Agreement will serve a public purpose by providing legal services to low-income residents of southern Westchester County. LSHV will provide advice, counsel, brief services and direct representation in a wide array of civil matters including housing, public benefits, education, elder law, consumer, employment and family law matters in approximately 400 cases. In addition, LSHV will provide legal assistance and representation in approximately 15

immigration cases for victims of domestic violence. LSHV will subcontract with My Sisters' Place, Inc. ("My Sisters' Place") to provide legal services as well as crisis intervention and individual counseling in approximately 136 cases for women who are victims of domestic violence, thereby enhancing the safety and independence of abused women. If abused women are helped to be safe they are not as likely to return to dependence on their abusers, thereby reducing public safety costs and medical costs. If they are helped to empower themselves to be independent and self-sufficient they are not as likely to be dependent on public assistance. Please be advised that Section 459-c of the New York Social Services Law directs social services districts, such as the County, to offer and provide non-residential services to victims of domestic violence, whether eligible or ineligible for public assistance. LSHV will also subcontract with Empire Justice Center ("EJC") to provide additional legal assistance to immigrants in approximately 85 cases. 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 will be tracked and monitored by the Office for Women, which will be responsible for monitoring LSHV's performance 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. For example, in 2013:

- 396 clients obtained advice and counsel on a family matter
- 114 clients obtained advice and counsel on a housing matter
- 72 clients prevented eviction from housing
- 61 clients obtained advice and counsel on an income maintenance matter
- 27 clients avoided, or obtained redress for, charges by a landlord

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

Attached for your consideration is a proposed Resolution.

RESOLUTION

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

RESOLVED, that the County of Westchester, acting by and through its Office for Women, (the "County") is hereby authorized to enter into an agreement with Legal Services of the Hudson Valley ("LSHV"), pursuant to which LSHV will provide free comprehensive legal services to the indigent as well as legal assistance and representation in immigration cases for victims of domestic violence, at the County's Mount Vernon District Office, which is a more convenient location for those living in southern Westchester County, for a term commencing January 1, 2014 and continuing through December 31, 2014; and be it further

RESOLVED, that LSHV will subcontract with My Sisters' Place, Inc. to provide legal services as well as crisis intervention and individual counseling to women who are victims of domestic violence; and be it further

RESOLVED, that LSHV will subcontract with the Empire Justice Center to provide additional legal assistance to immigrants; and be it further

RESOLVED, that in consideration for services to be rendered, LSHV will be paid an amount not-to-exceed Five Hundred Eighty-Three Thousand Twenty-Five Dollars (\$583,025.00) to be paid quarterly, net of County charges, pursuant to an approved budget; and be it further

RESOLVED, that the County's costs and expenses will be deducted from the appropriated amount prior to quarterly payment, in accordance with Schedule A-1 attached hereto and made a part hereof; 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	52	2092	5100	N/A	\$583,025	2014

Budget Funding Year(s) 2014 **Start Date:** 1/1/2014 **End Date:** 12/31/2014
(must match resolution)

Funding Source: Tax Dollars \$583,025
State Aid _____
Federal Aid _____
Other _____

\$583,025
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/09/2014 - COMPTROLLER SECRETARY

Schedule A-1

COUNTY'S COSTS TO BE DEDUCTED FROM APPROPRIATED AMOUNT

ONGOING MONTHLY COSTS

\$1,046 Monthly Rent

\$1,450 Monthly IT (Phone & Internet) Charges

\$2,496 Total Monthly Costs

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/09/2014 JOMARY VIEIRA, SECRETARY