

53458

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Robin Schlaff
Director, Office for Women

DATE: December 15, 2016

SUBJECT: Authority to amend an agreement with Darlene Reda, pursuant to which Ms. Reda was to serve as Director of the County's Family Justice Center, by a.) extending the term of the agreement by twelve (12) months, and b.) increasing the not-to-exceed amount by \$98,652.

By a resolution approved on March 6, 2014, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Darlene Reda, pursuant to which Ms. Reda was to serve as Director of the County's Family Justice Center ("FJC"), for a term commencing on March 1, 2014 and continuing through November 30, 2016, for an amount not-to-exceed Two Hundred Forty Thousand Four Hundred Twenty-Seven Dollars (\$240,427), payable monthly, pursuant to an approved budget (the "Agreement"). The Agreement was subsequently executed.

Since its creation, the FJC has been funded by grant funds from the United States Department of Justice, acting by and through its Office on Violence Against Women, ("OVW") under its Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. Those grant funds for the FJC were provided to the County through a series of grant agreements (the "Previous Grant Agreements"), the last of which expired on November 30, 2016. OVW recently notified the County that it has been awarded a twelve (12) month, no-cost extension of the term during which the County can expend funds from the Previous Grant Agreements for the FJC. During this extension, the County will continue to require the services of a Director of the FJC.

Therefore, the County respectfully requests authority from your Honorable Board to amend the Agreement with Ms. Reda by a.) extending its term by twelve (12) months, to a new termination date of November 30, 2017, and b.) increasing its not-to-exceed amount by \$98,652, from an amount not-to-exceed \$240,427 to an amount not-to-exceed \$339,079, pursuant to an approved budget (the "First Amendment").

Except as described above, all other terms and conditions of the Agreement shall remain the same.

The proposed First Amendment will serve a public purpose by providing additional time and funds for Ms. Reda to serve as Director of the FJC, thereby ensuring the overall sustainability of the FJC and ensuring that the FJC provides services to victims.

The goal and objective of the proposed First Amendment is to provide additional time and funds for Ms. Reda to serve as Director of the FJC and thereby ensure the overall sustainability of the FJC and ensure that the FJC provides services to victims.

The goal and objective of the proposed First Amendment is in the best interests of the County in terms of the public health, safety and general welfare, as providing additional time and funds for Ms. Reda to serve as Director of the FJC and thereby ensuring the overall sustainability of the FJC and ensuring that the FJC provides services will ultimately enhance the safety and independence of victims of abuse.

The goal and objective of the proposed First Amendment will be tracked and monitored by the Office for Women by means of quarterly reports and ongoing communication with Ms. Reda.

This procurement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)(xi) thereof, which exempts "any procurement made pursuant to procurement procedures provided for under any other federal or state law applicable to such procurement." Specifically, the procurement complies with 2 C.F.R. 200.320(f), based upon sub-section (2) thereof, (formerly, 28 C.F.R. 66.36(d)(4)(i)(B)) as an exigency would be caused by a gap in the County's receipt of the above-described services. That is because the FJC serves people who are faced with life and death situations. The director of the FJC supervises all advocates and counselors who provide essential services at the FJC. If the County were without the services of a director of the FJC for a period of time, that would result in greater danger and a loss of safety to the FJC's clients, as there is no other person at the FJC who could assume those responsibilities in the interim.

Accordingly, I recommend adoption of the proposed resolution.

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an agreement with Darlene Reda, pursuant to which Ms. Reda was to serve as Director of the County's Family Justice Center, for a term commencing on March 1, 2014 and continuing through November 30, 2016, for an amount not-to-exceed \$240,427, payable monthly, pursuant to an approved budget, (the "Agreement") by, a.) extending its term by twelve (12) months, to a new termination date of November 30, 2017, and b.) increasing its not-to-exceed amount by \$98,652, from an amount not-to-exceed \$240,427 to an amount not-to-exceed \$339,079, pursuant to an approved budget; and be it further

RESOLVED, that except as specifically amended hereby, all of the other terms and conditions of the Agreement shall remain the same; 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(s)
263	11	988R	4380	T988	\$98,652	2016-2017

Budget Funding Year(s) 2016-2017 **Start Date:** 12/1/2016 **End Date:** 11/30/2017
 (must match resolution)

\$98,652

(must match resolution)

Funding Source: Tax Dollars _____
 State Aid _____
 Federal Aid \$98,652
 Other _____