

George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

72858

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner

DATE: November 19, 2019

SUBJECT: Authority to enter into an agreement with Legal Services of the Hudson Valley (“LSHV”) pursuant to which LSHV will create and implement Westchester County’s Eviction Prevention Project to provide legal representation to a cohort of at-risk low-income families with children facing eviction in Yonkers City Court, for a term commencing on January 1, 2020 and continuing through December 31, 2020, for an amount not-to-exceed \$200,000, payable monthly pursuant to an approved budget.

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the “County”), acting by and through its Department of Social Services (the “Department”) to enter into an agreement (the “Agreement”) with LSHV, pursuant to which LSHV will create and implement Westchester County’s Eviction Prevention Project to provide legal representation to a cohort of at-risk low-income families with children facing eviction in Yonkers City Court, for a term commencing on January 1, 2020 and continuing through December 31, 2020, for an amount not-to-exceed \$200,000, payable monthly pursuant to an approved budget.

Pursuant to the terms of the proposed Agreement, LSHV will provide direct representation to approximately 164 low-income families per year in Yonkers City Court. These cases will be selected by screening families most at-risk of becoming homeless and entering the County’s shelter system.

The proposed Agreement will serve a public purpose by providing legal representation to low-income families in Yonkers who are at risk of becoming homeless and entering the County’s shelter system.

The goals and objectives of the proposed Agreement are to:

- provide direct representation in approximately 164 cases per year in Yonkers City Court to at-risk low-income families with children facing eviction, consistent with professional responsibilities;
- provide on-site screening and legal services to tenants at Yonkers City Court;
- provide all services in connection with the legal representation described above, such as conducting intake and interviews, doing legal research, drafting legal documents, conducting client-related investigations, and negotiating and settling disputes;
- make referrals to the on-site DSS Examiner in Yonkers City Court; and
- collect, maintain, and report all necessary data and outcomes to evaluate the effectiveness of the Project.

The goals and objectives of the proposed Agreement will be tracked and monitored by the Department.

The procurement of the proposed Agreement is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)(xiv) thereof, which exempts contracts with not-for-profit organizations for the purposes of providing aid, care and support to persons in need of public assistance.

Attached for your consideration is a proposed Resolution.

KMM/LVL/jpg
Attachment

RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, be it hereby

RESOLVED, that the County of Westchester, acting by and through its Department of Social Services, is hereby authorized to enter into an agreement (the “Agreement”) with Legal Services of the Hudson Valley (“LSHV”), pursuant to which LSHV will create and implement Westchester County’s Eviction Prevention Project to provide legal representation to a cohort of at-risk low-income families with children facing eviction in Yonkers City Court, for a term commencing on January 1, 2020 and continuing through December 31, 2020, for an amount not-to-exceed \$200,000, payable monthly 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
2020	101	22	8900	5960	-----	\$200,000

Budget Funding Year(s): 2020 Start Date: 01/01/20 End Date: 12/31/20
(must match resolution)

Funding Source	Tax Dollars: 88%
<u>\$200,000</u>	State Aid: 0%
(must match resolution)	Federal Aid: 12%
	Other: