

George Latimer
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

79482

TO: Honorable Board of Acquisition and Contract

FROM: John M. Nonna
County Attorney

DATE: September 15, 2020

RE: Resolution authorizing the County of Westchester to enter into a grant agreement for a Second Regional Immigration Assistance Centers grant (Contract No. C2ND855) (the "Grant") with the New York State Office of Indigent Legal Services for the receipt of \$1,654,260 to improve the quality of mandated indigent legal services for the period January 1, 2020 through December 31, 2022 and to enter into an agreement with The Legal Aid Society of Westchester County and the Westchester County Bar Association for the same period to implement the work plan under the Grant to improve the quality of mandated indigent legal services in an amount not to exceed \$1,654,260

Article 18-B of the County Law requires each County in New York State to establish a plan for providing counsel to certain indigent persons. Such a plan may be established by agreement with a legal aid society and/or bar association. The Legal Aid Society of Westchester County ("Legal Aid Society") and the Westchester County Bar Association (the "Bar Association") have been providing these services for many years pursuant to agreements with the County.

The New York State Office of Indigent Legal Services ("ILS") issued a Request for Proposals ("RFP") to counties throughout the State seeking proposals outlining a work plan in connection with a Second Regional Immigration Assistance Centers grant (the "Grant"). The County provided such a work plan to ILS in response to the RFP.

ILS has advised that it approved the County's work plan for the Grant to improve the quality of mandated representation to noncitizen clients by indigent service providers in Region 4 (Hudson Valley Region), inclusive of the counties of Columbia, Dutchess, Greene, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester.

The annexed resolution authorizes the County to enter into a grant agreement with ILS for the receipt of the grant funds (“Grant Agreement”). These additional funds provided by ILS can only be used to supplement and not supplant any local funds which the County would otherwise have had to expend for the provision of mandated indigent legal services.

The attached resolution also authorizes the County to enter into an agreement with the Legal Aid Society and the Bar Association to implement the work plan in connection with the Grant Agreement.

The agreements with ILS and the Legal Aid Society and the Bar Association will serve a public purpose in that they will enable the County to improve its effectiveness in providing counsel to indigent persons. The goals and objectives of both agreements are to ensure that effective counsel is provided in a cost efficient manner. The cost effectiveness of the Legal Aid Society’s and the Bar Association’s performance under its agreement with the County is reviewed annually during the budget request process by the Budget Department. Further, contained in the Grant Agreement are performance measures required by ILS that the Legal Aid Society and the Bar Association will need to satisfy.

The agreement with ILS is exempt from the County’s procurement policy pursuant to Section 3(a)iii thereof. The agreement with the Legal Aid Society and the Bar Association is exempt from the procurement policy pursuant to Section 3(a)xiv. No County funds will be expended for these agreements.

Accordingly, approval of the attached resolution is recommended.

JMN/LAC
Attachment

APPROVED BOARD OF ACQUISITION CONTRACT #14-02000 LSA MNUJ SECRETARY

RESOLUTION

Upon a communication from the County Attorney, be it

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into a grant agreement with New York State Office of Indigent Legal Services for the Second Regional Immigration Assistance Centers grant (Contract No. C2ND855) (the "Grant Agreement") for the receipt of \$1,654,260 to improve the quality of mandated representation to noncitizen clients by indigent service providers in Region 4 (Hudson Valley Region), inclusive of the counties of Columbia, Dutchess, Greene, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester for the period January 1, 2020 to December 31, 2022; and be it further

RESOLVED, that the County is hereby authorized to enter into an agreement with the Legal Aid Society of Westchester to implement the County work plan pursuant to the Grant Agreement in an amount not to exceed \$1,654,260 for the period January 1, 2020 through December 31, 2022, payable pursuant to an approved budget; and be it further

RESOLVED, that the County Executive, or his duly authorized designee, is empowered to execute all documents necessary to effectuate the purposes thereof.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2020	101	52	2085	5100		\$551,420.00
2021	101	52	2085	5100		\$551,420.00
2022	101	52	2085	5100		\$551,420.00

Budget Funding Year(s) 2020-2022 Start Date January 1, 2020 End Date December 31, 2022
(must match resolution)

Funding Source Tax Dollars _____
State Aid 100%
\$1,654,260 Federal Aid _____
(must match resolution) Other _____