

George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

81214

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner

DATE: December 4, 2020

SUBJECT: Authority to amend an agreement with Legal Services of the Hudson Valley (“LSHV”), as previously amended, pursuant to which LSHV agreed to 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 the Yonkers City Court, the Mount Vernon City Court, the White Plains City Court, the Peekskill City Court, the Village of Ossining Justice Courts, and other Westchester eviction courts, as needed, for a term commencing on January 1, 2020 and continuing through December 31, 2020, for an amount not-to-exceed \$1,084,000, by increasing the total not-to-exceed amount authorized thereunder by an additional \$10,000.

By resolution approved on December 19, 2019, your Honorable Board authorized 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 would 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 Agreement was subsequently executed.

Thereafter, by resolution approved on July 2, 2020, your Honorable Board authorized the County to amend the Agreement by: 1) increasing the not-to-exceed amount authorized thereunder by an additional \$884,000, from an amount not-to-exceed \$200,000 to an amount not-to-exceed \$1,084,000; 2) establishing a case rate-based fee schedule; 3) expanding the scope of services to include legal representation to individuals and families with children in the Mount Vernon City

Court, the White Plains City Court, the Peekskill City Court, the Village of Ossining Justice Courts, and other Westchester eviction courts, as needed; and 4) enhancing the Performance Measurement reporting by revising the evaluation criteria (the "First Amendment"). The First Amendment was subsequently executed.

The BOL recently allocated \$10,000 in additional funding to this contract. Accordingly, authority is now requested to further amend the Agreement with LSHV by increasing the not-to-exceed amount authorized thereunder by an additional \$10,000, from an amount not-to-exceed \$1,084,000 to a new total aggregate amount not-to-exceed \$1,094,000.

Except as otherwise specifically amended hereby, all remaining terms and conditions of the Agreement, as previously amended, shall remain in full force and effect.

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

The goals and objectives of the Agreement are to:

- provide direct representation in approximately 900 cases per year in Yonkers City Court, the Mount Vernon City Court, the White Plains City Court, the Peekskill City Court, the Village of Ossining Justice Courts, and other Westchester eviction courts, as needed;
- provide on-site screening and legal services to tenants at the Courts;
- 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 DSS Examiner assigned; and
- collect, maintain, and report all necessary data and outcomes to evaluate the effectiveness of the Project.

The goals and objectives of the Agreement are being tracked and monitored by the Department.

The procurement of this amendment to the 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/TL/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 amend an agreement (the "Agreement") with Legal Services of the Hudson Valley ("LSHV"), as previously amended, pursuant to which LSHV agreed to 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 the Yonkers City Court, the Mount Vernon City Court, the White Plains City Court, the Peekskill City Court, the Village of Ossining Justice Courts, and other Westchester eviction courts, as needed, for a term commencing on January 1, 2020 and continuing through December 31, 2020, for an amount not-to-exceed \$1,084,000, by increasing the total not-to-exceed amount authorized thereunder by an additional \$10,000, from an amount not-to-exceed \$1,084,000, to a new total aggregate amount not-to-exceed of \$1,094,000; and be it further

RESOLVED, that except as otherwise specifically amended hereby, all remaining terms and conditions of the Agreement, as previously amended, shall remain in full force and effect upon the parties.

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.

Original Amount: \$200,000
 First Amendment: \$884,000
 This Amendment: \$10,000
 New Total: \$1,094,000

Account to be Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2020	101	11	0900	4380		\$10,000

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

Funding Source Tax Dollars: 100%
 State Aid: 0%
\$10,000.00 Federal Aid: 0%
 (must match resolution) Other: N/A