

82713

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Honorable George Latimer
Westchester County Executive
Robin Schlaff
Director, Office for Women

DATE: February 16, 2021

SUBJECT: Resolution to exempt the procurement of an agreement with My Sisters' Place, Inc. pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy.

Authority is hereby requested from your Honorable Board to exempt the procurement of legal services for victims of domestic violence and human trafficking as part of an agreement (the "Agreement") between the County of Westchester, acting by and through its Office for Women, (the "County") and My Sisters' Place, Inc. ("My Sisters' Place"), pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy. Pursuant to the terms of the Agreement, My Sisters' Place will provide the following services for a term commencing on January 1, 2021 and continuing through December 31, 2021:

- case management services for counseling programs serving victims of domestic violence, community training for service providers and healthcare workers, and outreach programs (the "Case Management Services");
- on-site temporary child care through My Sisters' Place's Tot Drop Program for children whose mothers/caretakers are accessing non-residential domestic violence services (the "Child Care Services");
- counseling services for children who have witnessed or experienced domestic violence (the "Children's Counseling Services");
- teen dating and domestic violence prevention education through My Sisters' Place's Domestic Violence Education and Prevention Program as part of its Next Generation Educational Programming (the "Domestic Violence Education Services"); and
- legal services for victims of domestic violence and human trafficking through My Sisters' Place's Center for Legal Services (the "Legal Services").

Ordinarily under Section 6 of the Westchester County Procurement Policy, the County is required to solicit competitive proposals for a procurement expected to cost \$75,000.00 or

more for the aforementioned Legal Services, through a request for proposals ("RFP"). However, soliciting competitive proposals through the issuance of an RFP is not in the best interest of the County as My Sisters' Place has successfully provided related domestic violence legal services under contracts administered through the Office for Women since 1999, making it uniquely qualified to provide these services by reason of its expertise, leadership and longevity in the field, and because of its intimate connection with residential domestic violence services.

As noted above, in addition to Legal Services, My Sisters' Place will also provide Case Management Services, Child Care Services, Children's Counseling Services, and Domestic Violence Education Services under the Agreement. We believe that rather than entering into four separate agreements, it would be more efficient to enter into a single Agreement for all of these services.

The proposed Agreement will serve a public purpose by supporting state-mandated non-residential domestic violence services for victims of abuse. Non-residential domestic violence services enable victims to become safe and independent and to avoid returning to their abusers or becoming dependent on public assistance. In addition, those abused by a partner often spend their time having to watch and/or care for their children while obtaining these services. Children not having to be in their parents' counseling sessions and thereby reliving trauma and being privy to information they should not need to be exposed to positively impacts the children's mental health.

As stated in a separate resolution submitted to your Honorable Board, the Case Management Services are exempt from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)(viii) thereof, which exempts contracts with agencies engaging healthcare workers; the Child Care Services and Children's Counseling Services are exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)(xviii) thereof, which exempts contracts for the advancement of the moral, physical, mental and social well-being of the youth of Westchester County; and the Domestic Violence Education Services are exempt from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)(ix) thereof, which exempts contracts with teachers, lecturers, and other educational professionals or experts. However, the Legal Services are not exempt from competitive procurement under the Westchester County Procurement Policy and Procedures, hence the need for this Resolution..

Accordingly, given My Sisters' Place's experience, capabilities, and past work for Westchester County, it is proposed that the best interests of the County would be served by again exempting the procurement of the Legal Services component of the Agreement from the Westchester County Procurement Policy pursuant to Section 3(a)(xxi) thereof. Accordingly, a resolution to exempt this procurement is hereby submitted for your consideration.

We respectfully recommend the adoption of the attached resolution.

RESOLUTION

Upon a communication from the Westchester County Executive and the Director of the Office for Women, be it hereby

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester, acting by and through its Office for Women, in connection with the procurement of an agreement with My Sisters' Place for, among other things, legal services for victims of domestic violence and human trafficking for a term commencing on January 1, 2021 and continuing through December 31, 2021.

APPROVED BOARD OF ACQUISITION & CONTRACT - 2021-11-22 - JSA MARIJAJ, SECRETARY