

**82848**

**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 22, 2021

**SUBJECT:** Resolution to exempt the procurement of an agreement with Make the Road New York, pursuant to which it will provide free legal services for immigrants, pursuant to Section 3(a)(xxi) the Westchester County Procurement Policy.

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Authority is hereby requested from your Honorable Board to exempt the procurement of an agreement (the "Agreement") between the County of Westchester, acting by and through its Office for Women, (the "County") and Make the Road New York ("MRNY"), pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy. MRNY will provide free legal services for immigrants, for a term commencing on January 1, 2021 and continuing through December 31, 2021.

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 these type of 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 MRNY's exclusive focus on immigrant legal services makes it uniquely qualified to provide these services. Immigrants seeking legal relief have extra burdens such as language and cultural barriers vis-à-vis using the courts and the legal system. Because of immigration issues, they may be fearful of the legal system. MRNY provides legal assistance to keep these individuals from having to remain dependent on social service systems and help them mainstream into the American culture.

Furthermore, MRNY has satisfactorily provided these services under contracts administered through the Office for Women since 2018. MRNY has been providing services for 25+ years and has extensive experience working with immigrants, representing clients in a wide array of immigration cases including applications for U-Visas, VAWA, SIJS, legal permanent resident status, citizenship and work authorizations. Lack of lawful immigration status is one of the root

causes of instability and vulnerability in the lives of immigrants and often a means of control by perpetrators of abuse. Access to high quality legal representation is key in the ability for eligible Westchester residents to file petitions or applications, putting them on a pathway to legal permanent residence and eventually citizenship.

The proposed Agreement will serve a public purpose by increasing the stability and self-sufficiency of Latino immigrant men and women in Westchester.

The goals and objectives of the proposed Agreement are for MRNY to assist immigrants in processing U Visa and VAWA applications, represent immigrants in SIJS cases, and represent immigrants in humanitarian-based cases. In addition, MRNY will assist low-income workers living or working in Westchester County in the area of employment rights, including cases related to wage theft, discrimination, sexual harassment, paid sick and paid safe leave violations, and workplace retaliation issues.

The goals and objectives of the proposed Agreement will be tracked and monitored by the Office for Women.

Given MRNY's experience, capabilities, and past work for the County, it is proposed that the best interests of the County would be served by again exempting the procurement of the proposed 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 in connection with the procurement of an agreement with Make the Road New York ("MRNY"), for a term commencing on January 1, 2021 and continuing through December 31, 2021, pursuant to which MRNY will provide free legal services for immigrants.

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/18/2021 - USA MARIJAJ, SECRETARY