

84702

TO: Honorable Board of Acquisition and Contract

FROM: John M. Nonna  
County Attorney

DATE: April 27, 2021

RE: Resolution authorizing the County of Westchester to enter into a first amendment to the grant agreement for Distribution #8 (Contract No. C800055) (the "Grant") with the New York State Office of Indigent Legal Services to extend the term from January 1, 2018 through December 31, 2020 to a new termination date of December 31, 2021 and to enter into a first amendment to an agreement with The Legal Aid Society of Westchester County for the same purpose

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On February 6, 2020, your Honorable Board authorized the County of Westchester ("County") to enter into a grant agreement for Distribution #8 (Contract No. C800055) with the New York State Office of Indigent Legal Services ("ILS") in the amount of \$5,585,993.00 to improve the quality of services provided under Article 18-B of the County Law for the term January 1, 2018 through December 31, 2020 ("Grant Agreement") and to enter into an agreement with the Legal Aid Society of Westchester County ("Legal Aid") for the same term and purpose ("Agreement").

Authority is requested from your Honorable Board for the County to enter into a first amendment to the Grant Agreement to extend the termination date from December 31, 2020 to December 31, 2021. Further authority is requested to enter into a first amendment to the Agreement with Legal Aid for the same purpose.

The first amendments to the agreements with ILS and Legal Aid 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 Legal Aid's performance under its agreement with the County is reviewed annually during the budget request process by both the Budget Department and my Office. Further, contained in the Grant Agreement are performance measures required by ILS that Legal Aid will need to satisfy.

Except as amended hereby, all other terms and conditions of the Grant Agreement and Agreement shall remain the same

The first amendment with ILS is exempt from the County's procurement policy pursuant to Section 3(a)iii thereof. Since indigent legal services are required by Article 18-B of the County Law, the first amendment with Legal Aid is exempt from the procurement policy pursuant to Section 3(a)xi. It should be noted that Section 3(a)xiv of the procurement policy is applicable to the First Amendment with Legal Aid as well. 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 - 05/06/2021 - JOHN OSCARDO, SECRETARY

**RESOLUTION**

Upon a communication from the County Attorney, be it

**RESOLVED**, that the County of Westchester (the "County") be and is hereby authorized to enter into a first amendment to the grant agreement with New York State Office of Indigent Legal Services for Distribution #8 (Contract No. C800055) (the "Grant Agreement") to extend the termination date from December 31, 2020 to December 31, 2021; and be it further

**RESOLVED**, that the County be and is hereby authorized to enter into a first amendment to the agreement with The Legal Aid Society of Westchester (the "Agreement") to extend the termination date from December 31, 2020 to December 31, 2021; and be it further

**RESOLVED**, that except as amended hereby, all other terms and conditions of the Grant Agreement and Agreement shall remain the same; 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
2021	101	52	2085	5100		\$0

Budget Funding Year(s) 2021 Start Date 1/1/18 End Date 12/31/21  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
\$0.00 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACTS 08/06/2021 DAN COCCIARDI, SECRETARY