

George Latimer
County Executive

Department of Social Services

Leonard G. Townes
Commissioner

85627

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Leonard G. Townes
Commissioner

DATE: June 7, 2021

SUBJECT: Authority to amend a resolution approved on December 23, 2020, as amended by a resolution approved on May 27, 2021, which together authorized the County of Westchester to enter into an agreement with Legal Services of the Hudson Valley (“LSHV”) pursuant to which LSHV would operate an Eviction Prevention Legal Services Program to provide access to eviction prevention legal services for at-risk low-income Westchester County individuals or families, and victims of domestic violence, facing eviction and loss of permanent housing, in Yonkers City Court, Mount Vernon City Court, White Plains City Court, Peekskill City Court, the Village of Ossining Justice Courts, and other Westchester eviction courts, as needed, for a term commencing on January 1, 2021 and continuing through December 31, 2021 for an amount not-to-exceed \$1,118,920, payable at approved rates for specific services rendered, by reflecting a change in the form of reimbursement from a fee per service basis, to reimbursement based upon actual expenses incurred for services rendered in accordance with an approved budget.

By resolution approved on December 23, 2020 (the “December 23rd Resolution”), 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 operate an Eviction Prevention Legal Services Program to provide access to eviction prevention legal services for at-risk low-income Westchester County individuals or families, and victims of domestic violence, facing eviction and loss of permanent housing, in Yonkers City Court, Mount Vernon City Court, White Plains City Court, Peekskill City Court, the Village of Ossining Justice Courts, and other Westchester eviction courts, as needed, for a term commencing on January 1, 2021 and continuing through December 31, 2021, for an amount not-to-exceed \$1,105,680, payable at approved rates for specific services rendered.

Thereafter, by resolution approved on May 27, 2021 (the "May 27th Resolution"), your Honorable authorized the County to amend the December 23rd Resolution to reflect an increase in the not-to-exceed cap by \$13,240, from an amount not-to-exceed \$1,105,680, to a new amount not-to-exceed \$1,118,920. The Agreement has not yet been executed.

The Department had intended that the May 27th Resolution would also amend the December 23rd Resolution to reflect a change in the reimbursement method from a fee per service basis, to reimbursement based upon actual expenses incurred for services rendered in accordance with an approved budget. However, due to an administrative oversight, this additional amendment request was not included in the May 27th Resolution. In order to correct this oversight, authority is now requested to further amend the December 23rd Resolution, as amended by the May 27th Resolution, in order to reflect a change in the form of reimbursement under the Agreement from a fee per service basis, to reimbursement based upon actual expenses incurred for services rendered in accordance with an approved budget, following submission by LSHV of quarterly reports to substantiate the basis for payment, and an invoice.

Except as specifically amended hereby, all remaining terms and conditions contained in the December 23rd Resolution, as amended by the May 27th Resolution, shall remain in full force and effect.

The proposed Agreement will serve 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 goal of EPLS is to reduce the number of homeless households entering the shelter system due to loss of permanent housing by eviction. The program is designed to provide legal representation to prevent evictions, divert homeless shelter placement and/or delay loss of permanent housing.

The goals and objectives of the Agreement will be tracked and monitored by the Department.

The procurement of this 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/BG/TL/jpg
Attachment

RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, be it hereby

RESOLVED, that the resolution approved on December 23, 2020 (the “December 23rd Resolution”), as amended by the resolution approved on May 27, 2021 (the “May 27th Resolution”), which together authorized the County of Westchester, acting by and through its Department of Social Services, to enter into an agreement (the “Agreement”) with Legal Services of the Hudson Valley (“LSHV”), pursuant to which LSHV would operate an Eviction Prevention Legal Services Program to provide access to eviction prevention legal services for at-risk low-income Westchester County individuals or families, and victims of domestic violence, facing eviction and loss of permanent housing, in Yonkers City Court, Mount Vernon City Court, White Plains City Court, Peekskill City Court, the Village of Ossining Justice Courts, and other Westchester eviction courts, as needed, for a term commencing on January 1, 2021 and continuing through December 31, 2021 for an amount not-to-exceed \$1,118,920, payable at approved rates for specific services rendered, is hereby further amended to reflect a change in the form of reimbursement under the Agreement from a fee per service basis, to reimbursement based upon actual expenses incurred for services rendered in accordance with an approved budget, following submission by LSHV of quarterly reports to substantiate the basis for payment and an invoice; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions contained in the December 23rd Resolution and the May 27th Resolution shall remain in full force and effect; and be it further

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.

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|-------------------------------------------|-------------|
| December 23 rd Resolution | \$1,105,680 |
| May 27 th Resolution Amendment | 13,240 |
| <u>This Resolution Amendment</u> | <u>0.00</u> |
| Total Contract Amount | \$1,118,920 |

Account to be Charged/Credited

| | Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub-Object | Trust Account | Dollars |
|------|------|------|----------------------------------------|--------------------|---------------|---------|
| 2021 | N/A | N/A | N/A | N/A | N/A | N/A |
| | | | | | | |

Budget Funding Year(s): 2021 Start Date: 01/01/2021 End Date: 12/31/2021
(must match resolution)

| | |
|-------------------------|------------------|
| Funding Source | Tax Dollars: N/A |
| | State Aid: N/A |
| | Federal Aid: N/A |
| (must match resolution) | Other: N/A |