

George Latimer
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

89305

TO: Honorable Board of Acquisition and Contract

FROM: John M. Nonna
County Attorney

DATE: December 2, 2021

RE: Resolution authorizing the County of Westchester to enter into a grant agreement for a Third Upstate Quality Improvement and Caseload Reduction grant (Contract No. C3RD655) (the "Grant") with the New York State Office of Indigent Legal Services for the receipt of \$279,566.00 to improve the quality of mandated indigent legal services for the period July 1, 2020 through June 30, 2023 and to enter into an agreement with The Legal Aid Society of Westchester County for the same period to implement the work plan under the Grant to improve the quality of mandated indigent legal services in an amount not to exceed \$279,566.00.

Article 18-B of the County Law requires each County in New York State to establish a plan for providing counsel to certain indigent persons. Such a plan may be established by agreement with a legal aid society and/or bar association. The Legal Aid Society of Westchester County ("Legal Aid Society") and the Westchester County Bar Association (the "Bar Association") have been providing these services for many years pursuant to agreements with the County of Westchester ("County").

The New York State Office of Indigent Legal Services ("ILS") has approved a Third Upstate Quality Improvement and Caseload Reduction grant (Contract No. C3RD655) (the "Grant") to the County in an amount not to exceed \$279,566.00 to improve the quality of mandated indigent legal services for the period July 1, 2020 through June 30, 2023 ("Grant Agreement").

The annexed resolution authorizes the County to enter into the Grant Agreement with ILS for the receipt of the grant funds. These additional funds provided by ILS can only be used to supplement and not supplant any local funds which the County would otherwise have had to expend for the provision of mandated indigent legal services.

The attached resolution also authorizes the County to enter into an agreement with the Legal Aid Society in the same amount and for the same period to implement the work plan in connection with the Grant Agreement.

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

The Grant Agreement with ILS is exempt from the County's procurement policy pursuant to Section 3(a)iii thereof. The agreement with the Legal Aid Society is exempt from the procurement policy pursuant to Section 3(a)xiv. No County funds will be expended for these agreements.

I certify that my department a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b) has reviewed the Grant terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

Accordingly, approval of the attached resolution is recommended.

JMN/LAC
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/3/2014

RAYMOND J. GUILKY, SECRETARY

RESOLUTION

Upon a communication from the County Attorney, be it

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into a grant agreement with New York State Office of Indigent Legal Services for the Third Quality Improvement and Caseload Reduction grant (the "Grant Agreement") for the receipt of \$279,566.00 to improve the quality of mandated indigent legal services for the period July 1, 2020 to June 30, 2023 and enter into an agreement with the Legal Aid Society of Westchester to implement the County work plan pursuant to the Grant Agreement in an amount not to exceed \$279,566.00 for the period of July 1, 2020 through June 30, 2023, payable pursuant to an approved budget; 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
2020/21	101	52	2085	5100		\$89,460.00
2021/22	101	52	2085	5100		\$93,038.40
2022/23	101	52	2085	5100		\$97,067.60

Budget Funding Year(s) 2020-2023 Start Date July 1, 2020 End Date June 30, 2023
(must match resolution)

Funding Source Tax Dollars _____
 State Aid 100% _____
\$279,566.00 Federal Aid _____
 (must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 12/23/2021 - RAYMOND SCULLEY, COUNTY CLERK