



Office of the District Attorney
County of Westchester

MEMORANDUM

OnBase: 89676

DATE: December 22, 2021

TO: HONORABLE MEMBERS
BOARD OF ACQUISITION AND CONTRACT

FROM: MIRIAM E. ROCAH
DISTRICT ATTORNEY

RE: RESOLUTION TO EXEMPT FROM THE WESTCHESTER COUNTY
PROCUREMENT POLICY AND PROCEDURES PURSUANT TO SECTION
3(A)(XXI) THEREOF, THE PROCUREMENT OF AN AGREEMENT WITH HKA
GLOBAL INC., TO CONDUCT TAX FRAUD INVESTIGATIONS AS PART OF THE
CRIMES AGAINST REVENUE PROSECUTION ("CARP") PROGRAM FOR THE
PERIOD FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2022 IN AN
AMOUNT NO-TO EXCEED \$52,430.

Authority is hereby requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures (the "Policy"), pursuant to Sec. 3(a)xxi thereof, the procurement of an agreement with HKA Global Inc. ("HKA"), for the provision of tax fraud investigations for the CARP program for the period from January 1, 2022 through December 31, 2022. In Consideration for services to be rendered, the County of Westchester, acting by and through the Office of the District Attorney (the "DA's Office") will pay HKA an amount not-to-exceed \$52,430 pursuant to section 3(a) xxi thereof.

Ordinarily under Section 5(b) of the Policy, the County of Westchester ("County") is required to solicit written quotations from no fewer than three persons customarily providing such goods or services and, if deemed appropriate, to inquire as to the qualifications and experience of such persons. However, HKA, has been working on highly confidential and complex financial cases within our office for the past year. These cases and investigations are long-term in nature and require knowledge of the transactions, accounts and people involved. In their capacity as forensic accountants, HKA, has worked closely with the attorneys assigned to these cases and have prepared schedules and summaries to assist them as they prepare for arrest, grand jury and trial. They also draws conclusions and make connections from voluminous materials and independent research they perform for testimony and presentation to both Grand and Petit Jury in pending investigations. Utilizing any other vendor for these services, the DA's Office would result in a loss of the continuity of the work that has already been performed which would result in a major setback to those cases yet to be prosecuted and therefore would not be in the best interests of the County.

Pursuant to Section 3(a) xxi, the Policy is not applicable to any procurement for which your Honorable Board determines, by resolution passed prior to commencing such procurement, that compliance with the Policy would not be in the best interests of the County. For the reasons set forth above, it is proposed that the best interests of the County would be served by exempting the procurement of this agreement from the Policy.

Accordingly, a resolution to exempt the procurement of an agreement with HKA is hereby submitted for your Honorable Board's consideration.

MER/OK/jrc

Encl.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/06/2022 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from Miriam E. Rocah, District Attorney, be it hereby:

RESOLVED, pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein including the necessity of soliciting written or oral price quotations, is neither cost effective nor expedient, and accordingly, not in the best interest of the County of Westchester in connection with the procurement of an agreement with HKA Global Inc. to conduct tax fraud investigations as part of the Crimes Against Revenue Program from the period of January 1, 2022 through December 31, 2022.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/06/2022 - RAYMOND SCULKY, SECRETARY