



Office of the District Attorney
County of Westchester

MEMORANDUM

OnBase: 89671

DATE: December 22, 2021

TO: HONORABLE MEMBERS
BOARD OF ACQUISITION AND CONTRACT

FROM: MIRIAM E. ROCAH
DISTRICT ATTORNEY

RE: AUTHORITY TO 1) ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A GRANT, IN AN AMOUNT NOT TO EXCEED \$278,100.00 IN STATE FUNDS, FOR THE DISTRICT ATTORNEY'S OFFICE TO OPERATE THE CRIME AGAINST REVENUE PROGRAM FROM THE PERIOD JANUARY 1, 2022 THROUGH DECEMBER 31, 2022; AND 2) ENTER IN AGREEMENT WITH HKA GLOBAL INC., TO CONDUCT TAX FRAUD INVESTIGATIONS; FOR THE PERIOD FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2022, IN AN AMOUNT TO NOT EXCEED \$52,430.00.

Authority is sought for the County of Westchester ("County"), acting by and through its Office of the District Attorney ("DA's Office" or "District Attorney's Office"), to enter into a grant agreement – Contract No. C445349 -- with the New York State Division of Criminal Justice Services ("DCJS"), to accept a grant in an amount not to exceed \$278,100.00 in State funds, with a County contributing \$57,061.00, for the District Attorney's Office to operate the Crimes Against Revenue Program ("CARP") from January 1, 2022 through December 31, 2022.

Authority is also sought for the County to enter into an agreement ("Consultant Agreement") with HKA Global Inc. ("HKA"), to conduct tax fraud investigations as part of the CARP Program, in an amount not to exceed \$52,430.00, payable at the rate of \$230.00 per hour inclusive of expenses, for a term commencing from the date of execution through December 31, 2022.

The goals and objectives of the CARP program are to investigate and prosecute those who violate tax laws, reclaim lost revenue, and increase voluntary compliance with applicable laws. The goals and objectives of the CARP program and the work will be monitored by the District Attorney's Office for compliance with grant requirements and quarterly progress reports are submitted to DCJS for their review and approval.

I certify that the Office of the District Attorney, 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 other 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.

The grant agreement with DCJS is not a procurement of goods or services and as such is not subject to the County Procurement Policy. By a separate Resolution of even date herewith, your Honorable Board approved the exemption of the contract with HKA Global Inc. from the Westchester County Procurement Policy and Procedures in accordance with Section 3(a) xxi, thereof.

Authority is therefore, respectfully sought for the County to enter into the grant agreement with DCJS and the Consultant Agreement for tax fraud investigation services.

MR/OK/jrc

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/13/2022 - RAYMOND SCULKY, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to 1) enter into an agreement with the New York State Division of Criminal Justice Services, to accept a grant in an amount not to exceed \$278,100.00 in State Funds, for the District Attorney's Office to operate The Crime Against Revenue Program, for the period from January 1, 2022 through December 31, 2022; and 2) enter into an agreement with HKA Global Inc. in an amount not to exceed \$52,430 to conduct tax fraud investigations for the period January 1, 2022 through December 31, 2022; and be it further

RESOLVED, that pursuant to the terms of the Grant Agreement, the County shall be required to contribute \$57,061.00 in matching funds toward the cost of the Program; and be it further

RESOLVED, that the County Executive or his/her duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
263	37	740X	9854	T-740	\$278,100
263	37	740X	9855	T-740	\$57,061
101	37	0010	4912		\$52,430

Budget Funding Year(s) 2022 Start Date 01/01/2022 End Date 12/31/2022
(must match resolution)

Funding Source Tax Dollars: \$57,061
State Aid: \$278,100
\$335,161 Federal Aid: _____
(must match resolution) Other: _____