



**Memorandum**  
**Office of the County Attorney**

**113876**

TO: Honorable Board of Acquisition and Contract

FROM: John M. Nonna  
County Attorney

DATE: June 2, 2026

RE: Authority for the County of Westchester to enter into a third amendment to an agreement with The Legal Aid Society of Westchester County in order to increase the not to exceed amount pursuant to Paragraph 7(b) of the Agreement by \$663,055 from a not to exceed amount of \$5,686,574.80 to a new not to exceed amount of \$6,349,629.80 in connection with Distribution No. 11 from the New York State Office of Indigent Legal Services

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On February 1, 2024, your Honorable Board authorized the County of Westchester (“County”) to enter into an agreement with The Legal Aid Society of Westchester County (the “Legal Aid Society”) in which the Legal Aid Society agreed to provide legal services for indigent persons and services pursuant to certain New York State Office of Indigent Legal Services (“ILS”) grants and distributions with a term commencing on January 1, 2024 through December 31, 2024 in an aggregate amount not to exceed \$17,184,999 pursuant to an approved budget (the “Agreement”). The Agreement was subsequently executed.

On September 12, 2024, your Honorable Board authorized the County to enter into a first amendment to the Agreement (“First Amendment”) in order to increase the not to exceed amount pursuant to Paragraph 7(b) of the Agreement for services performed by the Legal Aid Society in connection with the NYS Office of Indigent Legal Services grants and distributions in an amount not to exceed \$3,027,117.80 for services performed in connection with Distribution No. 11, from a not to exceed amount of \$2,200,000 to a new not to exceed amount of \$5,227,117.80. The First Amendment was subsequently executed.

On December 19, 2024, your Honorable Board authorized the County to enter into a second amendment to the Agreement (“Second Amendment”) in order to increase the not to exceed amount pursuant to Paragraph 7(b) of the Agreement in an amount not to exceed \$459,457 in connection with a grant award from the New York State Division of Criminal Justice Services, from an amount not to exceed \$5,227,117.80 to a new not to exceed amount of \$5,686,574.80. The Second Amendment was subsequently executed.

Authority is now requested herein to enter into a third amendment to the Agreement (“Third Amendment”) in order to increase the not to exceed amount pursuant to Paragraph 7(b) of the Agreement in an amount not to exceed \$663,055 in connection with Distribution No. 11 from an amount not to exceed \$5,686,574.80 to a new not to exceed amount of \$6,349,629.80

This Third Amendment will serve a public purpose in that it will assist in the improvement in the quality of legal services provided to indigent persons. The goals and objectives of the Third Amendment is to improve the quality of legal services provided to indigent persons.

This Third Amendment is exempt from the Westchester County Procurement Policy and Procedures pursuant to Sections 3(a)xi and 3(a)xiv thereto.

All of the terms and conditions of the Agreement, as previously amended, shall remain in full force and effect except as modified herein.

Approval of the attached resolution is respectfully requested.

JMN/LAC  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/11/2026 - RAYMOND SCULKY, SECRETARY

**RESOLUTION**

Upon a communication from the County Attorney, be it

**RESOLVED**, that the County of Westchester (the “County”) is authorized to enter into a third amendment to an agreement with The Legal Aid Society of Westchester County (“Legal Aid Society”) for the provision legal services for indigent persons and services pursuant to certain New York State Office of Indigent Legal Services grants and distributions with a term commencing on January 1, 2024 through December 31, 2024 in an aggregate amount not to exceed \$17,184,999 in order to increase the not to exceed amount pursuant to Paragraph 7(b) of the Agreement for services performed by the Legal Aid Society in connection with the NYS Office of Indigent Legal Services Distribution No. 11, in an amount not to exceed \$663,055 from a not to exceed amount of \$\$5,686,574.80 to a new not to exceed amount of \$6,349,629.80; and be it further

**RESOLVED**, that all of the terms and conditions of the Agreement shall remain in full force and effect except as amended herein; and be it further

**RESOLVED**, that the Third Amendment is subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Third Amendment. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Third Amendment or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate the Third Amendment upon reasonable prior written notice, 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 hereof.

Account to be Charged/credit	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	52	2085	5100		\$663,055

Budget Funding Year(s) 2024 Start Date 1/1/24 End Date 12/31/24

(must match resolution) \$663,055

Funding Source Tax Dollars \_\_\_\_\_ State Aid \$663,055 Federal Aid \_\_\_\_\_