

110219

Date: January 3, 2025

To: Board of Acquisition and Contract

From: John M. Nonna
County Attorney

Re: Authority for the County of Westchester to amend an agreement with The Quinn Law Firm, PLLC pursuant to which it agreed to provide legal services and representation to the County, in an “of counsel” capacity to the County Attorney, as needed, in connection with the civil case of *Pompey v. County of Westchester*, in order to increase the amount not-to-exceed from \$200,000 to \$350,000.

By resolution approved on August 3, 2023, your Honorable Board authorized the County of Westchester (the “County”) to enter into an agreement (the “Agreement”) with The Quinn Law Firm, PLLC (the “Firm”), pursuant to which the Firm would provide legal services and representation to the County, in an “of counsel” capacity to the County Attorney, as needed (the “Services”), in connection with the civil case of *Pompey v. County of Westchester* (the “Matter”), for a term commencing on August 1, 2023 and continuing until the conclusion of the Matter, for an amount not-to-exceed \$200,000.00, payable at the following hourly rates: \$350.00 for partners, \$300.00 for associate attorneys, and \$85.00 for paralegals (the “Agreement”). The Agreement was subsequently executed

The County now desires to amend the Agreement in order to increase the not-to-exceed amount by an additional \$150,000.00 in order to have sufficient funds available to pay the Firm for additional Services to be rendered going forward. Accordingly, authority is requested to amend the Agreement with the Firm for the provision of Services in connection with the Matter, in order to increase the not-to-exceed amount by an additional \$150,000.00, from \$200,000.00 to \$350,000.00.

Except as otherwise amended hereby, all remaining terms and conditions set forth in the Agreement shall remain unchanged

The proposed amendment to the Agreement is exempt from application of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)x thereof, which exempts procurements for the services of lawyers.

The proposed Agreement will serve a public purpose by providing the County with access to a law firm with experience in civil rights matters to represent the County in the Matter.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of fiscal responsibility, as the County having access to a law firm experienced in civil rights litigation to represent the County in the Matter, can help the County limit its liability and costs concerning to the Matter and any related or underlying matter(s).

The goal and objective of the proposed Agreement will be tracked and monitored by the Office of the County Attorney.

I respectfully recommend the adoption of the attached resolution.

JMN/jpg/mn

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/16/2025 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the County Attorney, be it hereby:

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to amend an agreement with The Quinn Law Firm, PLLC (the “Firm”), pursuant to which the Firm agreed to provide legal services and representation to the County, in an “of counsel” capacity to the County Attorney, as needed (the “Services”), in connection with the civil case of *Pompey v. County of Westchester* (the “Matter”), for a term commencing on August 1, 2023 and continuing until the conclusion of the Matter, for an amount not-to-exceed \$200,000.00, payable at the following hourly rates: \$350.00 for partners, \$300.00 for associate attorneys, and \$85.00 for paralegals (the “Agreement”), in order to increase the not-to-exceed amount thereunder by an additional \$150,000.00, from \$200,000.00 to \$350,000.00; and be it further

RESOLVED, that except as otherwise amended hereby, all remaining terms and conditions set forth in the Agreement shall remain unchanged; and be it further

RESOLVED, that the County Executive or his 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.

Original Agreement: \$200,000.00
 This Amendment: \$150,000.00
 Total \$350,000.00

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
615	59	0703/4750	4923		\$150,000.00

Budget Funding Year(s): 2023 Start Date: 08/01/23 End Date: Conclusion of the case
 (must match resolution)

Funding Source Tax Dollars: _____
 State Aid: _____
\$150,000.00 Federal Aid: _____
 (must match resolution) Other: 6N

APPROVED BOARD OF ACQUISITION CONTRACT - 01/16/2025 RAYMOND SCULKA (SECRETARY)