



Kenneth W. Jenkins
County Executive

Department of Law

John M. Nonna
County Attorney

112632

Date: December 3, 2025

To: Board of Acquisition and Contract

From: John M. Nonna
County Attorney

Re: Authority for the County of Westchester, acting by and through the County Attorney's Office, to amend an agreement, as previously amended and assigned, with the law firm Friedman Kaplan Seiler Adelman & Robbins LLP to provide legal counsel and advice to the Westchester County Charter Revision Commission, by (i) increasing the not-to-exceed amount authorized thereunder by an additional \$100,000.00, from an amount not to exceed \$100,000.00 to a new total amount not to exceed \$200,000.00, and (ii) extending the term of the Agreement through December 31, 2026.

Authority is respectfully requested from your Honorable Board for the County of Westchester ("County"), acting by and through the County Attorney's Office ("County Attorney"), to amend an agreement ("Agreement"), as previously amended and assigned, with the law firm Friedman Kaplan Seiler Adelman & Robbins LLP ("Friedman Kaplan") to provide legal counsel and advice ("Services") to the Westchester County Charter Revision Commission ("Commission"), by (i) increasing the not-to-exceed amount authorized thereunder by an additional \$100,000.00, from an amount not to exceed \$100,000.00 to a new total amount not to exceed \$200,000.00, and (ii) extending the term of the Agreement through December 31, 2026 ("Second Amendment").

On March 10, 2025, by Act No. 58-2025, the Westchester County Board of Legislators ("County BOL") authorized the County to retain Mondaire Jones, Esq. to provide the Services to the Commission, for a term commencing on February 25, 2025 and continuing through February 24, 2026, in an amount not to exceed \$100,000.00, payable at the rate of \$500.00 per hour. The Agreement was subsequently executed.

Thereafter, on May 5, 2025, by Act No. 150-2025, the County BOL further authorized the County to consent to the assignment and amendment of the Agreement to Friedman Kaplan ("Assignment Agreement"). The Assignment Agreement was subsequently executed and effective April 2, 2025.

Authority is now respectfully requested for the County to amend the Agreement by (i) increasing the not-to-exceed amount authorized thereunder by an additional \$100,000.00, from an amount not to exceed \$100,000.00 to a new total amount not to exceed \$200,000.00, and (ii) extending the term of the Agreement through December 31, 2026.

Except as specifically provided for herein, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed Second Amendment will serve a public purpose by providing the County with the specialized knowledge and expertise necessary to assist the Commission in reviewing and making recommendations to the County Executive and the County Legislature on amendments, additions, or revisions to the Charter and the Laws of Westchester County.

The goals and objectives of the proposed Second Amendment are to provide the County with the specialized knowledge and expertise necessary to assist the Commission in reviewing and making recommendations to the County Executive and the County Legislature on amendments, additions, or revisions to the Charter and the Laws of Westchester County.

The goals and objectives of the proposed Second Amendment will be tracked and monitored by the County Attorney through performance reports, which will be submitted by Friedman Kaplan on a monthly basis, or upon request by the County Attorney.

The procurement of this Second Amendment is exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3(a)(x) thereof, which exempts "procurements for the services of lawyers."

Accordingly, I most respectfully recommend your Honorable Board's approval of the attached Resolution.

JMN/mcz

RESOLUTION

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

RESOLVED, that the County of Westchester ("County"), acting by and through the County Attorney's Office, is hereby authorized to amend an agreement ("Agreement"), as previously amended and assigned, with the law firm Friedman Kaplan Seiler Adelman & Robbins LLP ("Friedman Kaplan") to provide legal counsel and advice ("Services") to the Westchester County Charter Revision Commission, by (i) increasing the not-to-exceed amount authorized thereunder by an additional \$100,000.00, from an amount not to exceed \$100,000.00 to a new total amount not to exceed \$200,000.00, and (ii) extending the term of the Agreement through December 31, 2026 ("Second Amendment"); and be it further

RESOLVED, that except as specifically hereby authorized to be amended, all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that this Second Amendment is subject to County appropriations; and be it further

RESOLVED, that this Second Amendment is also subject to further financial analysis of the impact of any New York State Budget ("State Budget") proposed and adopted during the term of the Agreement, as amended by this Second 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 this Second Amendment or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to Friedman Kaplan, then Friedman Kaplan shall have the right to terminate this Second Amendment upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute and deliver any and all documents and to take all action necessary and appropriate to effectuate the purposes hereof.

Original Agreement	\$100,000
Assignment and Amendment	\$0.00
Second Amendment	<u>\$100,000</u>
Total	\$200,000

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	18	1000	4923		\$100,000

Budget Funding Year(s): 2025-2026 Start Date: 02/25/2025 End Date: 12/31/2026
(must match resolution)

Funding Source

\$100,000

(must match resolution)

Tax Dollars: \$100,000

State Aid: _____

Federal Aid: _____

Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/11/2025 - RAYMOND SCULKY, SECRETARY