



Office of the County Attorney

**109896**

TO: Honorable Board of Acquisition and Contract

FROM: John M. Nonna  
County Attorney

DATE: October 30, 2024

RE: Authority to enter into an amendment to an agreement with the New York State Office of Indigent Legal Services for Distribution No. 12 in order to extend the termination date from December 31, 2024 to December 31, 2025 and to also amend an agreement with The Legal Aid Society of Westchester County to extend the termination date from December 31, 2024 to December 31, 2025

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On May 19, 2022, your Honorable Board approved a resolution authorizing the County of Westchester (the “County”) to enter into a grant agreement (the “Grant Agreement”) for Distribution No. 12 with the New York State Office of Indigent Legal Services (“ILS”) for the receipt of \$2,793,498 to improve the quality of indigent legal services provided by the County for the period January 1, 2022 through December 31, 2024 and to enter into an Agreement with The Legal Aid Society of Westchester County (“Legal Aid Society”) for Distribution 12 for the period January 1, 2022 through December 31, 2024 (the “Agreement”).

ILS has approved an extension of the term of the Grant Agreement through December 31, 2025. Authority is being requested herein to enter into a first amendment to the Grant Agreement in order to extend the termination date from December 31, 2024 to December 31, 2025 and to also enter into a first amendment to the Agreement in order to extend the termination date from December 31, 2024 to December 31, 2025.

The extension of the term of the Grant Agreement and the Agreement will serve a public purpose in that it will enable the County to fulfill and improve its lawful obligation of providing counsel to certain indigent persons. The goals and objectives are to ensure that effective counsel is provided in a cost efficient manner.

I certify that my department, 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 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 extension of the Agreement with the Legal Aid Society is exempt from the County's procurement policy pursuant to Section 3(a)xiv.

Accordingly, your Honorable Board's approval of the attached resolution is respectfully requested.

JMN/LAC  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/20/2024 - RAYMOND SCULKY, SECRETARY

**RESOLUTION**

Upon a communication from the County Attorney, be it

**RESOLVED**, that the County of Westchester (the “County”) is hereby authorized to enter into a first amendment to a grant agreement previously executed by the County and the New York State Office of Indigent Legal Services for Distribution No. 12 in the amount of \$2,793,498 to improve the quality of indigent legal services provided by the County (the “Grant Agreement”) in order to extend the termination date from December 31, 2024 to December 31, 2025; and be it further

**RESOLVED**, that the County is hereby authorized to enter into a first amendment to an agreement between the County and The Legal Aid Society of Westchester County in connection with a grant for Distribution No. 12 from the New York State Office of Indigent Legal Services for the improvement of the quality of indigent legal services (the “Agreement”) in order to extend the termination date from December 31, 2024 to December 31, 2025; and be it further

**RESOLVED**, that the amendment to the Grant Agreement and the amendment to the Agreement shall be at no cost to the County; and be it further

**RESOLVED**, that all other terms and conditions of the Grant Agreement and Agreement shall remain the same and in full force and effect; 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 herein.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
						\$0.00

Budget Funding Year(s) 2022-2025 Start Date January 1, 2022 End Date December 31, 2025  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 \$ 0.00 Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACTS 11/20/2024 - RAYMOND SCULKY, SECRETARY