

Legislation Details (With Text)

File #: ID-5433 **Version:** 1 **Name:**
Type: Resolution **Status:** Passed
File created: 3/27/2023 **In control:** County Legislature
On agenda: 4/20/2023 **Final action:** 4/20/2023
Enactment date: 4/20/2023 **Enactment #:** 202-23

Title: TO AUTHORIZE THE COUNTY MANAGER TO EXECUTE MODIFICATION AGREEMENTS WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES; SULLIVAN LEGAL AID PANEL, INC.; AND SULLIVAN COUNTY CONFLICT LEGAL AID, INC. TO AUTHORIZE PAYMENTS IN ACCORDANCE WITH THE IMPLEMENTATION OF THE HURRELL-HARRING SETTLEMENT AGREEMENT REFORMS

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/20/2023	1	Executive Committee	carried at Committee	Pass
4/20/2023	1	County Legislature	adopted	Pass
4/20/2023	1	Executive Committee	carried at Committee	Pass

Narrative of Resolution:

If Resolution requires expenditure of County Funds, provide the following information:

Amount to be authorized by Resolution: 0

Are funds already budgeted? Choose an item.

Specify Compliance with Procurement Procedures:

N/A

WHEREAS, the County and the State of New York Office of Indigent Legal Services (hereinafter “NYSOILS” or “State”) are parties to a five-year agreement to implement and fund improvements to mandated criminal defense representation in accordance with the Statewide Expansion of the Hurrell-Harring Settlement Agreement Reforms, Contract Number CSTWIDEHH45 (hereinafter “Agreement”) for the contract term from April 1, 2018 through March 31, 2023; and

WHEREAS, the fully executed contract includes a B-1 attachment that sets forth the full contract amount totaling \$4,840,039.35 over the course of the five years of the Agreement as follows: Year 1, \$322,669.29; Year 2, \$645,338.58; Year 3, \$968,007.87; Year 4, \$1,290,677.16; and Year 5, \$1,613,346.45; and

WHEREAS, although the term of the contract anticipated a commencement date of April 1, 2018, the contract

was not approved until well into the grant term; and

WHEREAS, there is sufficient unspent funding to support and fund the programs anticipated in the Year 5 budget of the contract for an additional year; and

WHEREAS, the County and NYSOILS have been in discussions regarding a one-year no cost extension of Contract No. CSTWIDEHH45 through March 31, 2024; and

WHEREAS, the County negotiated a Year 5 budget and entered into a modification agreement NYSOILS in March of 2023 that contained a B-1 attachment that includes a line item budget for Year 5 building on the Year 1, 2, 3, and 4 line item budgets, and

WHEREAS, the Sullivan Legal Aid Panel and the Sullivan County Conflict Legal Aid continue to incur expenses associated with the positions created under the Years 1, 2, 3, 4 and 5 budgets and require modification agreements to authorize reimbursements of those costs into the anticipated continuation of the modified contract into Year 6 requiring a modification of their respective agreements to authorize payments through the term of the extension.

NOW, THEREFORE BE IT RESOLVED, that the County Manager is hereby authorized to execute a contract extension with NYSOILS to extend the existing agreement through March 31, 2024; and

BE IT FUTHER RESOLVED, that the County Manager is hereby authorized to execute a Modification Agreement with the Sullivan Legal Aid Panel, Inc. for an amount not to exceed \$1,069,793.20 in Year 6 (April 1, 2023 through March 31, 2024) for services provided in accordance with the work plan and budget lines reflected in the Year 1, 2, 3,4 and 5 detailed line item budgets of the Agreement; and

BE IT FURTHERED RESOLVED, that the County Manager is hereby authorized to execute a Modification Agreement with the Sullivan County Conflict Legal Aid, for an amount not to exceed \$196,228.00 in Year 6 (April 1, 2023 through March 31, 2024) for services provided in accordance with the work plan and budget lines reflected in the Year 1, 2, 3, 4 and 5 detailed line item budgets of the Agreement; and

BE IT FURTHERED RESOLVED, that the form of any such agreements be approved by the County Attorney; and

BE IT FURTHER RESOLVED, that should the NYSOILS funding be terminated, the County shall not be obligated to continue any action undertaken by the use of this funding.