

**FIFTH MODIFICATION OF INTERAGENCY AGREEMENT
BETWEEN
NEW YORK CITY DEPARTMENT OF SOCIAL SERVICES /
HUMAN RESOURCES ADMINISTRATION
AND
NEW YORK CITY MAYOR’S OFFICE OF IMMIGRANT AFFAIRS
AND
THE CITY UNIVERSITY OF NEW YORK**

for
ACTION NYC
July 1, 2019 through June 30, 2021

This Fifth Modification Agreement (“Fifth Modification Agreement”), dated May 27
, 2021 modifies the Interagency Agreement (“Agreement”) between the
City of New York (the “City”), acting through its **Department of Social Services / Human
Resources Administration** (“HRA” or “Agency”) located at 150 Greenwich Street, New York, New
York 10007, the **New York City Mayor’s Office of Immigrant Affairs** (“MOIA”) with offices
located at 253 Broadway, 14th Floor, New York, New York 10007, and **The City University of
New York** (“CUNY”) with its principal office at 205 East 42nd Street, New York, New York 10017.
The Agency, MOIA, and CUNY are referred to individually as a “Party” and collectively as the
“Parties.”

WHEREAS, the Parties entered into the Agreement on October 4, 2019, to administer the Action NYC program, which offers free, safe, and high-quality immigration legal services to immigrants residing or working in New York City, with funding provided by HRA;

WHEREAS, the Parties entered into a Modification Agreement on December 12, 2019 to increase funding for Action NYC and modify the budget for Fiscal Year 2020;

WHEREAS, the Parties entered into a Second Modification Agreement to increase funding for Action NYC during Fiscal Year 2020, to extend the term of the Agreement through June 30, 2021, to provide funding for said extension, and to specify the services to be funded during the extension; and

WHEREAS, the Parties entered into a Third Modification Agreement to increase funding for Action NYC during the Extension Term, in order to support an increased volume of services being provided by the program; and

WHEREAS, the Parties entered into a Fourth Modification Agreement to increase the funding for Action NYC during the Extension Term, in order to extend the Data Analyst position for six months and to fund two additional initiatives; and

WHEREAS, the Parties now wish to enter into this Fifth Modification Agreement to increase the funding for Action NYC during the Extension Term to fund two additional initiatives described herein.

NOW THEREFORE, in consideration of the mutual promises and covenants herein set forth, the Parties agree as follows:

ARTICLE 1. EFFECT OF MODIFICATION

- 1.1 Except as modified herein or as previously modified by the Parties in a writing signed by both, all of the original covenants, terms and conditions of the Agreement remain unchanged and are hereby ratified and confirmed as in full force and effect.

ARTICLE 2. MODIFICATION OF COMPENSATION AND PAYMENT SCHEDULE

- 2.1 The amount payable for Fiscal Year 2021 stated in Article 4.1.2 of the Second Modification Agreement, as amended by the Third Modification Agreement and Fourth Modification Agreement, is hereby increased by **\$764,500** from \$6,505,428 to **\$7,269,928**, which shall be payable in accordance with the terms of the Agreement and the Fifth Modification Budget attached hereto as **Exhibit B-5** and incorporated herein by this reference. This shall serve to increase the total “not to exceed” amount of the Agreement from \$17,475,255 to \$18,239,755.
- 2.2 \$726,000 of the increase shall be payable during Fiscal Year 2021 to support the existing New York City COVID-19 Immigrant Emergency Relief Fund. This initiative will (a) leverage an existing infrastructure established to disseminate urgently needed, one-time cash relief to immigrant New Yorkers hardest hit by the economic crisis prompted by the COVID-19 pandemic and (b) reach additional undocumented immigrant populations across the City who may not yet have had an opportunity to access relief. CUNY’s contracted providers shall conduct outreach, complete eligibility screenings, and distribute one-time emergency relief funds, via pre-paid debit cards to low-income immigrant workers and families who were impacted financially by COVID-19 and have urgent financial needs. They shall focus on the top 10 community districts impacted by COVID-19 and individuals who work(ed) in the most impacted occupations, have household members who are LEP, and children in the home. The funding for this initiative shall be payable as follows:
- 2.2.1 \$220,000 for contracted services through Make the Road New York.
 - 2.2.2 \$220,000 for contracted services through Catholic Charities Community Services.
 - 2.2.3 \$110,000 for contracted services through African Communities Together.
 - 2.2.4 \$110,000 for contracted services through the Center for Family Life.
 - 2.2.5 \$66,000 shall be applied as an administrative fee.

- 2.3 \$38,500 of the increase shall be payable during Fiscal Year 2021 to support the Anti-Notario Fraud Campaign through contracted work by Catholic Charities Community Services. This campaign is needed in light of the increased call volume experienced by the ActionNYC Hotline and an increased need to provide access to accurate information to preempt and prevent notario fraud against vulnerable immigrants. This campaign will promote ActionNYC's messaging warning against potential immigration fraud and help ensure that New Yorkers are empowered to obtain City-funded, free and safe trusted immigration legal help. Services shall include the following items, and the \$38,500 shall be payable as follows:

2.3.1 PS + Fringe: \$26,319

- 2.3.1.1 3% additional hotline attorney time for special phone consultations that do not require comprehensive immigration legal consultations.
- 2.3.1.2 10% additional hotline Migration Counselor time to allow for deeper pre-screening and directed referrals (e.g., triaging TPS cases).
- 2.3.1.3 Two additional full time hotline Migration Assistants to handle first-line call answering capability due to increased volume.

2.3.2 OTPS: \$5,500

- 2.3.2.1 Five weeks of social media boosts to promote anti-fraud / general immigration legal phone banks with Univision and hotline services, at the rate of \$200 per week for 5 weeks.
- 2.3.2.1 Three laptops with software to support hotline staff additions.

2.3.3 Indirect costs for Catholic Charities Community Services: \$3,181

2.3.4. \$3,500 shall be applied as an administrative fee.

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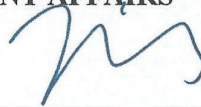
IN WITNESS WHEREOF, the Parties hereto have executed this Fifth Modification Agreement on the dates appearing below their respective signatures.

**NEW YORK CITY HUMAN RESOURCES
ADMINISTRATION**



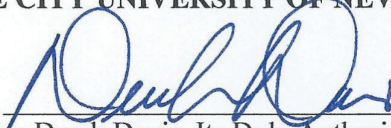
By: _____
Name: Vincent Pullo
Title: ACCO
Date: 5/27/2021

**NEW YORK CITY MAYOR'S OFFICE OF
IMMIGRANT AFFAIRS**



By: _____
Name: J. Carolina Chavez
Title: General Counsel & Deputy Commissioner
Date: May 12, 2021

THE CITY UNIVERSITY OF NEW YORK



By: _____
Name: Derek Davis, Its Duly Authorized
Officer Title: General Counsel and Sr. Vice
Chancellor for Legal Affairs

APPROVED AS TO FORM

Adriana Blanco

The City University of New York
Office of the General Counsel
Date: 5/21/2021

Date: May 27, 2021

Exhibit B-5: Fifth Modification Budget

(On Following Page)

B – Cooperative Agreement Budget Mod
HRA CUNY MOIA Action NYC (Fifth Modification)
FINAL 5/12/21

| | <i>Amended - May 2021</i> | <i>Amended - Feb 2021</i> | <i>Amended – September 2021</i> | <u>ANYC Extension (6 Mo) + TA Supports, Staff & Admin (1 Yr)</u> |
|---|---------------------------|---------------------------|---------------------------------|---|
| <u>Personnel</u> | | | | |
| <u>Position</u> | | | | |
| <u>Full-time</u> | | | | |
| Program Staff | \$ 235,400 | \$ 235,400 | \$ 207,900 | \$ 207,900 |
| Fiscal Management | \$ 125,000 | \$ 125,000 | \$ 125,000 | \$ 125,000 |
| Total Salaries | \$ 360,400 | \$ 360,400 | \$ 332,900 | \$ 332,900 |
| <i>Fringe Benefits</i> | | | | |
| F/T at 35% | \$ 126,140 | \$ 126,140 | \$ 116,515 | \$ 117,647 |
| MTA Tax @ .0034 | \$ 1,225 | \$ 1,225 | \$ 1,132 | \$ 1,132 |
| Total Fringe Benefits | \$ 127,365 | \$ 127,365 | \$ 117,647 | \$ 118,779 |
| Total Personnel | \$ 487,765 | \$ 487,765 | \$ 450,547 | \$ 451,679 |
| <u>Other Than Personnel Services (OTPS)</u> | | | | |
| Subcontracts with community-based organizations and legal service providers | \$ 4,624,809 | \$ 3,929,809 | \$ 3,869,809 | \$ 2,984,934 |
| Subcontracts for technology and hotline | \$ 521,000 | \$ 521,000 | \$ 521,000 | \$ 431,000 |
| Central Coordination /staff cell phone and local transport expenses | \$ 19,000 | \$ 19,000 | \$ 19,000 | \$ 19,000 |
| Cost of Living Adjustment for ActionNYC providers (Projected) | \$ 56,450 | \$ 56,450 | \$ 56,450 | \$ 56,450 |
| RRLC | \$ 900,000 | \$ 900,000 | \$ 540,000 | \$ - |
| Total OTPS | \$ 6,121,260 | \$ 5,426,260 | \$ 5,006,260 | \$ 3,491,385 |
| Total Direct Cost | \$ 6,609,025 | \$ 5,914,025 | \$ 5,456,807 | \$ 3,943,063 |
| Indirect Cost at 10% | \$ 660,902.50 | \$ 591,402.50 | \$ 545,680.65 | \$ 394,306 |
| Total Budget | \$ 7,269,928 | \$ 6,505,428 | \$ 6,002,487 | \$ 4,337,370 |