

12663

DATE: July 6, 2010

TO: Honorable Members
Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner of Probation

RE: **AUTHORITY FOR THE COUNTY OF WESTCHESTER TO EXERCISE THE OPTION TO EXTEND AN AGREEMENT WITH LEAKE AND WATTS SERVICES, INC. FOR THE PROVISION OF SECURE DETENTION AND RELATED MEDICAL, CLINICAL, EDUCATIONAL, TRANSPORTATION, CLEANING, SECURITY SYSTEMS AND FOOD SERVICES AT WOODFIELD SECURE DETENTION COTTAGE FOR THE PERIOD JULY 1, 2010 THROUGH JUNE 30, 2011 IN AN AMOUNT NOT TO EXCEED \$3,146,734.00 TO BE PAID IN ACCORDANCE WITH AN APPROVED PROGRAM BUDGET AND SUBJECT TO APPROPRIATIONS**

Subject to an RFP process and pursuant to a resolution approved on June 29, 2006 as amended on August 12, 2006, your Honorable Board authorized the County of Westchester to enter into an agreement ("the Agreement") with Leake and Watts Services, Inc. for the provision of secure detention and related medical, clinical, educational, transportation, cleaning, security systems and food services at Woodfield Secure Detention Cottage for the period July 1, 2006 through June 30, 2007 in an amount not to exceed \$2,591,692 to be paid in accordance with an approved program budget and subject to appropriations, with the County having the option to extend the agreement for four (4) one year periods with an annual increase in cost not to exceed 5% over the cost for the prior year. The contract was subsequently executed.

By Resolution adopted on July 19, 2007, your Honorable Board authorized the County of Westchester to exercise its first option to extend the Agreement with Leake and Watts Services, Inc. for the period July 1, 2007 through June 30, 2008 in an amount not to exceed \$2,948,242. The first Extension Agreement was subsequently executed.

By Resolution adopted on September 29, 2008, your Honorable Board authorized the County of Westchester to exercise its second option to extend the Agreement with Leake and Watts Services, Inc. for the period July 1, 2008 through June 30, 2009 in an amount not to exceed \$3,069,984. The Second Extension Agreement was subsequently executed.

By Resolution adopted on June 25, 2009, your Honorable Board authorized the County of Westchester to exercise its third option to extend the Agreement with Leake and Watts Services, Inc. for the period of July 1, 2009 through June 30, 2010 in an amount not to exceed \$3,146,734. The Third Extension Agreement was subsequently executed.

The extension of this Agreement serves a public purpose by ensuring the safety and well-being of the detainees in the facility and the residents of the County of Westchester. Pursuant to this Agreement, Leake and Watts Services, Inc. will provide educational and secure detention services in Woodfield Cottage for all youth referred who are Juvenile Delinquents ("JDs") and Juvenile Offenders ("JOs"). This program provides a positive behavior modification incentive wherein youth earn points for positive behavior and lose points for negative behavior. The higher they reach on the point charts (based on the "belt" system in karate), the more they are able to earn privileges that are in keeping with the secure detention facility. The program also operates utilizing positive role modeling and incentives that will result in youth adopting positive traits. The program is also an accredited GED testing station in addition to offering a wide range of appropriate educational services. Leake and Watts Services, Inc. provides all youth at Woodfield Cottage with New York State's regulated complement of services and supports, providing the following services as needed: medical, clinical health, mental health, educational, recreational, life skills, transportation, cleaning, security systems and food service.

The goals and objectives of this Agreement are to provide secure detention services aimed at developing a balanced juvenile system that promotes community protection, fair and appropriate placement, accountability, and competency development for Juvenile Delinquents and Juvenile Offenders. The program addresses the needs of these JDs and JOs in the following areas:

- Medical care
- Substance abuse services
- Mental health services
- Food services
- Counseling services
- Recreation and life skills
- Education

The goals and objectives of this program are in the best interest of the County of Westchester in terms of public safety as the services provided to these detainees under this program are deemed to ensure the prevention of youth crimes and delinquency and aid in the advancement of the moral, mental and social well-being of youth in Westchester County. The program would help create a peaceful living environment for the residents while assisting the detainees to become better people through the supportive services provided hereunder.

Further, the above said goals and objectives are in the best interest of the County in terms of fiscal responsibility as the program would help save tax dollars in the area of public safety due to the reduction in crimes and violence. It should be noted that the per

diem cost for detention services in the immediate surrounding counties – namely centers in New York City and Nassau County – is roughly \$240 to \$260 higher than Woodfield's current daily rate. Were it not for Woodfield, Westchester County would be forced to place remanded JDs and JOs in these other facilities (at the higher rate) or seek detention centers that are located a significant distance from our county, thereby incurring additional costs in staffing, overtime and transportation. Additionally, it should be noted that the cost of institutionalization in the Westchester County Jail reaches a per diem of over \$210.00 (2007 – Co. Budget Department). The educational, mental health, medical and secure detention services offered by the program at Woodfield Cottage could potentially translate into a number of youths not returning to a life of crime that will cause them to be incarcerated as adults, rather than becoming productive citizens of Westchester County.

The goals and objectives will be monitored using the performance measurement indicators developed by the department and approved by the County Budget Office. The program office will be responsible for setting milestones and tracking the achievements of Leake and Watts Services, Inc.

The Department is able to report, based on the performance measures, that the vendor has met and exceeded the performance goals during the 2009/2010 contract year. To date, the secure detention program had 537 admissions for a total of 7269 care days. Of the 537 youth admitted to the program, all received orientation and intake, youth development and surveillance, educational, health and clinical services. Out of the total of 537, 191 youth were discharged home. All of these individuals received discharge counseling services. It should be noted that Woodfield Cottage serves many counties and that not all of the admissions were Westchester residents. Westchester County does not have control of the aftercare decisions for those out of county placements.

Except as specifically amended hereby, all other terms and conditions of the Agreement remain the same.

Accordingly, approval of the attached resolution authorizing the County to exercise its fourth option to extend the Agreement with Leake and Watts Services, Inc. is respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACT MGMT. #2010-00010 PRIMARY VENDOR SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Probation, be it

RESOLVED, that the County of Westchester is hereby authorized to exercise its fourth option to extend an agreement with Leake and Watts Services, Inc. for the provision of secure detention and related medical, clinical, educational, transportation, cleaning, security and food services at Woodfield Secure Detention Cottage for the period from July 1, 2010 through June 30, 2011; and be it further

RESOLVED, that in consideration for the services to be provided during the fourth extension, Leake and Watts Services, Inc. will be paid an amount not to exceed \$3,146,734 pursuant to an approved budget, thereby not increasing the total and maintaining the amount of the Agreement, the first extension, the second extension, the third extension, and the fourth extension to \$14,903,386; and be it further

RESOLVED, that this agreement is subject to County Appropriations; and be it further

RESOLVED, that this agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or adoption of a State Budget or any amendments thereto, and for 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 Agreement or to renegotiate the amounts and rates approved herein. If the county subsequently offers to pay a reduced amount to the contractor, then the Contractor shall have the right to terminate this agreement upon reasonable prior written notice; and be it further

RESOLVED, that except as specifically modified herein, all other terms and conditions of the agreement shall remain the same; and be it further

RESOLVED, that the County Executive or his authorized designee is empowered to execute any document necessary to implement this resolution

2006/2007	Original Agreement:	\$ 2,591,692
2007/2008	First Amendment:	\$ 2,948,242
2008/2009	Second Amendment:	\$ 3,069,984
2009/2010	Third Amendment:	\$ 3,146,734
2010/2011	Fourth Amendment:	\$ 3,146,734
Total		\$14,903,386

Account to be Charged/Credited

	Fund	Dept	Major Program, Program & Phase or Unit	Revenue/ Object	Trust Account	Dollars
2010	101	39	2000	4380		\$1,573,367
2011	101	39	2000	4380		\$1,573,367

Budget Funding Year(s) 2010/2011 Start Date: July 1, 2010 End Date: June 30, 2011
 (must match resolution)

Funding Source

Tax Dollars \$ 34% (\$1,069,889.56) _____

State Aid \$ 66% (\$2,076,844.44) _____

Federal Aid _____

\$3,146,734

(must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 7-29-2010 - JOMARY VEIHA, SECRETARY