

# 17200

DATE: March 4, 2011

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Grant E. Mitchell, M.D., Commissioner  
Department of Community Mental Health

RE: Authority to amend an agreement with St. Joseph's Hospital in order to (1) add additional related work to the scope of services and (2) increase the amount not-to-exceed authorized thereunder by an additional \$3,186,936 from an amount not-to-exceed \$360,763 to an amount not-to-exceed \$3,547,699

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By resolution approved on May 26, 2006, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Community Mental Health (the "Department"), to enter into agreements with 60 agencies, including St. Joseph's Hospital and St. Vincent's Hospital for the period January 1, 2007 through December 31, 2011, for the provision of community health services pursuant to Articles 25 and 41 of the New York State Mental Hygiene Law. The agreement with St. Vincent's Hospital was for an amount not-to-exceed \$5,410,430 pursuant to an approved budget ("St. Vincent's Agreement"). The agreement with St. Joseph's Hospital was for an amount not-to-exceed \$360,763 pursuant to an approved budget ("St. Joseph's Agreement"). Both Agreements were subsequently executed.

On April 14, 2010, St. Vincent's Hospital filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. On October 4, 2010, St. Vincent's Hospital entered into an Asset Purchase Agreement whereby St. Joseph's Hospital purchased, acquired and assumed certain assets and liabilities of St. Vincent's Hospital including the St. Vincent's Agreement with Westchester County. St. Joseph's Hospital has been providing services to the County since November 1, 2010 in place of St. Vincent's Hospital in good faith pending approval of this amendment.

The Department now seeks authority from your Honorable Board to amend St. Joseph's Agreement in order to, (1) add additional related work to the scope of services that were originally included in St. Vincent's Agreement and (2) increase the total not-to-exceed amount authorized thereunder by an additional \$3,186,936, from an amount not-to-exceed \$360,763 to an amount not-to-exceed \$3,547,699.

The proposed agreement will serve a public purpose by enabling the Department to implement the purposes of Article 25 and/or 41 of the New York Mental Hygiene Law and Westchester County Local Law No. 1-1978.

The goal and objective of the proposed agreement is to provide mental health services to individuals with mental illness in the County.

The goal and objective of the proposed agreement is in the best interest of the County because by providing mental health services to individuals with mental illness it will help to make the County more healthy and safe.

The goal and objective of the proposed agreement will be tracked monthly by review of submitted reports outlining St. Joseph's Hospital's progress in achieving the targets/outcomes set forth in the scope of work.

Accordingly, I most respectfully recommend approval of the attached resolution.

GM/eos/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-7-2011 - JOMARY VIEIRA, SECRETARY

**RESOLUTION**

Upon a communication from the Commissioner of the Department of Community Mental Health, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to amend an agreement with St. Joseph's Hospital, for the provision of community health services pursuant to Articles 25 and 41 of the New York State Mental Hygiene Law, for the period January 1, 2007 through December 31, 2011, for an amount not-to-exceed \$360,763, pursuant to an approved budget, by (1) adding additional related work to the scope of services effective as of November 1, 2010 and (2) increasing the total not-to-exceed amount authorized thereunder by an additional \$3,186,936, from an amount not-to-exceed \$360,763 to an amount not-to-exceed \$3,547,699 (the "Agreement"); and be it further

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

**RESOLVED**, that the County Executive or his duly authorized designee is authorized to execute all instruments and to take any and all actions necessary to effectuate the purposes hereof.

Original Agreement       \$ 360,763  
 First Amendment       \$3,186,936  
 TOTAL                     \$3,547,699

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Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
263	26	T177	4380	177K	250,860
263	26	T177	4380	177L	1,220,714
263	26	T177	9854	177K	250,860
263	26	T177	9854	177L	1,220,714

Budget Funding Year (s) \_\_\_\_\_ Start Date 1/1/07 End Date 12/31/11  
 (must match resolution)

Funding Source	Tax Dollars	\$ _____
<u>\$1,471,574</u>	State Aid	\$ <u>1,471,574</u>
(must match resolution)	Federal Aid	\$ _____
	Other	\$ _____
	TOTAL	\$ _____

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	26	T183	4380	183K	220,590
263	26	T183	4380	183L	1,226,036
263	26	T183	9854	183K	220,590
263	26	T183	9854	183L	1,226,036

Budget Funding Year (s) \_\_\_\_\_ Start Date 1/1/07 End Date 12/31/11  
(must match resolution)

Funding Source	Tax Dollars	\$ _____
<u>\$1,446,626</u>	State Aid	\$ <u>1,446,626</u>
(must match resolution)	Federal Aid	\$ _____
	Other	\$ _____
	TOTAL	\$ _____

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	26	T343	4380	343K	46,972
263	26	T343	4380	343L	221,764
263	26	T343	9855	343K	46,972
263	26	T343	9855	343L	221,764

Budget Funding Year (s) \_\_\_\_\_ Start Date 1/1/07 End Date 12/31/11  
(must match resolution)

Funding Source	Tax Dollars	\$ _____
<u>\$ 268,736</u>	State Aid	\$ _____
(must match resolution)	Federal Aid	\$ _____
	Other	\$ <u>268,736</u> DSS Interdepartmental
	TOTAL	\$ _____