

**25205**

DATE: February 29, 2012

TO: Honorable Members of the Board of Acquisition & Contract

FROM: Robert F. Meehan  
County Attorney

RE: Authorization to:

- 1) Amend a grant agreement with the New York State Office of Children and Family Services (“NYSOCFS”), pursuant to which NYSOCFS was to provide funds in order to receive from NYSOCFS funds to facilitate the operation of the County’s Child Fatality Review Team, in order to, (a) extend the term thereof by an additional year, and (b) increase the amount not-to-exceed authorized thereunder by \$61,233, and
- 2) Amend an agreement with the Westchester Institute for Human Development, Inc. (“WIHD”), pursuant to which WIHD was to provide services to facilitate the operation of the County’s Child Fatality Review Team, in order to, (a) extend the term thereof by an additional year; (b) increase the amount not-to-exceed authorized thereunder by \$61,233; and (c) update the scope of services for the extended term.

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By resolution approved on December 22, 2010 (the December 22<sup>nd</sup> Resolution), your Honorable Board authorized the County of Westchester (the “County”) to enter into a grant agreement with the New York State Office of Children and Family Services (“NYSOCFS”), for the purpose of obtaining funds to facilitate the operation of the County’s Child Fatality Review Team, for an amount not-to-exceed \$74,000, for a one year period February 1, 2011 through January 31, 2012 (the “NYSOCFS Grant Agreement”). The NYSOCFS Grant Agreement was subsequently executed.

By the December 22<sup>nd</sup> Resolution, your Honorable Board also authorized the County to enter into an agreement with the Westchester Institute for Human Development, Inc. (“WIHD”), pursuant to which WIHD was to provide services to facilitate the County’s Child Fatality Review Team, for an amount not-to-exceed \$74,000, for a one year period February 1, 2011 through January 31, 2012 (the “WIHD Agreement”). The WIHD Agreement was subsequently executed.

NYOCFS recently notified my office that it has authorized renewal, for an additional year, of the grant provided to the County under the NYSOCFS Grant Agreement. Accordingly, authority is respectfully requested for the County to amend the NYSOCFS Grant Agreement in order to, (1) extend the termination date thereof from January 31, 2012 to January 31, 2013, and (2) increase the not-to-exceed amount thereof by an additional \$61,233, from an amount not-to-exceed \$74,000 to a new amount not-to-exceed \$135,233. Only the additional \$61,233 will be allowed to be expended during the proposed extended term of the NYSOCFS Grant Agreement; the original \$74,000 provided under the NYSOCFS Grant Agreement may no longer be expended.

Except as specifically amended hereby, all terms and conditions of the NYSOCFS Grant Agreement shall remain in full force and effect.

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.

Authority is also respectfully requested for the County to amend the WIHD Agreement in order to, (1) extend the termination date thereof from January 31, 2012 to January 31, 2013; (2) increase the not-to-exceed amount thereof by an additional \$61,233, from an amount not-to-exceed \$74,000 to a new amount not-to-exceed \$135,233; and (3) update the scope of services for the extended term.

Except as specifically amended hereby, all terms and conditions of the WIHD Agreement shall remain in full force and effect.

The proposed amendments will serve a public purpose by providing the County with the funds and the services needed to facilitate operation of its Child Fatality Review Team, which reviews the death of any child who was provided services by the County's Department of Social Services and/or agencies under contract with Westchester County or whose death was the result of suspicious circumstances.

The goals and objectives of the proposed amendments are to provide funding for and facilitate the operation of the County's Child Fatality Review Team.

The goals and objectives of the proposed amendments are in the best interests of the County in terms of fiscal responsibility and health and the environment, as the facilitation of the Child Fatality Review Team's operations will be paid for by non-County funds and WIHD will ensure that the Child Fatality Review Team fulfills its overall purpose of protecting the health and safety of children in the County.

The goals and objectives of the proposed amendments will be tracked and monitored by the Westchester County Attorney's Office. The grant requires quarterly reports and an annual final report, which will be reviewed by the Westchester County Attorney. Additionally all vouchers

submitted for payment by WIHD will be reviewed prior to submission by the Westchester County Attorney.

Authority to exempt the amendment to the WIHD Agreement from the requirements of the Westchester County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, has been submitted to your Honorable Board by a separate resolution of even date herewith.

Accordingly, I recommend adoption of the proposed resolution.

RFM/KC/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/22/2012 - JOMARY WILKINSON SECRETARY

**RESOLUTION**

Upon a communication from the County Attorney, be it hereby:

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to amend a grant agreement with the New York State Office of Children and Family Services ("NYSOCFS"), pursuant to which NYSOCFS was to provide the County with funds to facilitate the operation of the County's Child Fatality Review Team, for an amount not-to-exceed \$74,000, for a one year period February 1, 2011 through January 31, 2012 (the "NYSOCFS Grant Agreement"), in order to, (1) extend the termination date thereof from January 31, 2012 to January 31, 2013, and (2) increase the not-to-exceed amount thereof by an additional \$61,233, from an amount not-to-exceed \$74,000 to a new amount not-to-exceed \$135,233; and be it further

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

**RESOLVED**, that the County is hereby authorized to amend an agreement with the Westchester Institute for Human Development, Inc. ("WIHD"), pursuant to which WIHD was to provide services to facilitate the operation of the County's Child Fatality Review Team, for an amount not-to-exceed \$74,000, for a one year period February 1, 2011 through January 31, 2012 (the "WIHD Agreement"), in order to, (1) extend the termination date thereof from January 31, 2012 to January 31, 2013; (2) increase the not-to-exceed amount thereof by an additional \$61,233, from an amount not-to-exceed \$74,000 to a new amount not-to-exceed \$135,233; and (3) update the scope of services for the extended term; and be it further

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

**RESOLVED**, that the County Executive or his duly authorized designee be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Account to be Charged/Credited

| Fund | Dept. | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars  |
|------|-------|----------------------------------------|--------------------|---------------|----------|
| 263  | 18    | 144M                                   | 9854               | T-144         | \$61,233 |
| 263  | 18    | 144M                                   | 4380               | T-144         | \$61,233 |
|      |       |                                        |                    |               |          |

Budget Funding Years 2012-2013 Start Date 2/1/12 End Date 1/31/13  
(must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
State Aid \$61,233  
\$61,233 Federal Aid \_\_\_\_\_  
(must match resolution) Other \_\_\_\_\_