



Robert P. Astorino
County Executive

Department of Social Services

Kevin McGuire
Commissioner

33280

DATE: April 5, 2013

TO: Honorable Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner, Department of Social Services

SUBJECT: Authority for the County to amend a Resolution approved by your Honorable Board on March 21, 2013 whereby your Honorable Board authorized the County to rescind the First Amendment of an Agreement with Westchester Community Opportunity Program, Inc. to provide employment related services for non custodial parents who are receiving public assistance under the Safety Net Program for the term June 1, 2011 through December 31, 2012 in the sum of \$210,000 (the "Agreement") and to extend the termination date of the Agreement through March 31, 2013 and to increase the amount of the Agreement by \$108,797 for a new total not to exceed amount of \$318, 797 in order to increase the amount of the Agreement by an additional \$54,954 for a new total not to exceed amount of \$373,751

By resolution adopted on March 21, 2013, your Honorable Board authorized the County to: 1) rescind the First Amendment of an Agreement with Westchester Community Opportunity Program, Inc. dated June 22, 2012 to provide with services to prepare for, find and retain employment for non-custodial parents who are receiving public assistance under the Safety Net Program for the term June 1, 2011 through December 31, 2012 in the sum of \$210,000 (the "Agreement"); 2) to extend the termination date of the Agreement through March 31, 2013; and 3) to increase the amount of the Agreement by \$108,797 for a new total not to exceed amount of \$318,797 (the "Resolution"). The Amendment has not been executed.

Authority is presently being sought to amend the Resolution approved by your Honorable Board on March 21, 2013 in order to increase the amount of the Agreement by an additional \$54,954 for a new total not to exceed amount of \$373,751. This Amendment is required because the increase in the not to exceed amount requested through the resolution approved by your Honorable Board on March 21, 2013 was understated by \$54,954 due to an oversight. The proposed amendment to the Agreement will increase the not to exceed by \$163,751 (\$108,797 already approved through the March 21, resolution plus the \$54,954 currently requested) for a new total not to exceed amount of \$373,751, payable pursuant to an approved budget.

All other terms and conditions of the Resolution approved on March 21, 2013 shall remain in full force and effect. The amendment to the Resolution as the Amendment has not been executed.

Your approval of the attached resolution is respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/09/2013 - JONATHAN W. HERRING, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Social Services, be it hereby

RESOLVED, that the resolution approved by your Honorable Board on March 21, 2013 whereby your Honorable Board authorized the County of Westchester to rescind the First Amendment of an agreement dated June 22, 2012 with Westchester Community Opportunity Program, Inc. to provide services to prepare for, find and retain employment for non-custodial parents who are receiving public assistance under the Safety Net Program for the term June 1, 2011 through December 31, 2012 in the sum of \$210,000 (the "Agreement"); and to extend the termination date of the Agreement through March 31, 2013; and to increase the not to exceed amount of the Agreement by \$108,797 for a new total not to exceed amount of \$318,797 (the "Resolution") is hereby amended to increase the not to exceed amount by an additional \$54,954, making the total increase requested under the proposed amendment \$163,751 (\$108,797 already approved through the March 21, resolution plus the \$54,954 currently requested) for a new total not to exceed amount of \$373,751 to be paid pursuant to an approved budget; and be it further

RESOLVED, that all other terms and conditions of the Resolution approved on March 21, 2013 shall remain in full force and effect; 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 the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such 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 the County Executive or his authorized designee is empowered to execute any and all documents necessary to implement this resolution.

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|---|-------------------------|
| Original Agreement: | \$210,000 |
| Amount Approved through March 21, Resolution: | \$108,797 |
| This Amendment: | <u>\$ 54,954</u> |
| Total | \$373,751 |

Account to be charged/credited

| FUND | AGENCY | CAPITAL PROJECT/ORG. | OBJECT/SUB OBJECT | TRUST ACCOUNT | ACTIVITY | DOLLARS |
|------|--------|----------------------|-------------------|---------------|----------|----------|
| 101 | 22 | 8900 | 5860 | ----- | ----- | \$54,954 |

Budget Funding Year(s): 2013
(must match Resolution)

Start Date: N/A

End Date: N/A

Funding Source
\$54,954

(must match resolution)

Tax Dollars: 71%
State Aid: 29%
Federal Aid: ---
Other: ---

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/09/2013 - JOHANNY VIEIRA, SECRETARY