

Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

Philippe Gille
First Deputy Commissioner

40550

DATE: May 30, 2014

TO: Board of Acquisition and Contract

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

SUBJECT: Resolution authorizing the County of Westchester to amend an Agreement with **Westhab, Inc.** to manage and operate up to 210 scattered site transitional housing units for homeless families by: 1) increasing the not to exceed amount by \$3,679,193 from a total not to exceed amount of \$10,798,568 to a new total not to exceed amount of \$14,477,761 to be paid monthly pursuant to an approved budget and subject to appropriation and 2) changing the end date of the contract from June 30, 2014 to December 31, 2014.

By resolution approved on January 3, 2013, your Honorable Board authorized the County of Westchester to enter into an agreement with Westhab, Inc. to manage and operate up to 210 scattered site transitional housing units for homeless families and singles for the period January 1, 2013 through December 31, 2013 for an amount not to exceed \$7,303,496 to be paid monthly pursuant to an approved budget and subject to appropriation. The contract was subsequently executed.

Through a resolution approved on February 20, 2014, your Honorable authorized Westchester County, acting through the Department of Social Services, to amend the agreement with Westhab, Inc. to manage and operate up to 210 scattered site transitional housing units for homeless families and singles for the period January 1, 2013 through December 31, 2013 in an amount not to exceed \$7,303,496 by: 1) modifying the scope of services to remove singles from the contract population, 2) increasing the not to exceed amount by \$3,495,072, from a total not to exceed amount of \$7,303,496 to a new total not to exceed amount of \$10,798,568 to be paid monthly pursuant to an approved budget and subject to appropriation, and 3) changing the end

date of the contract from December 31, 2013 to June 30, 2014. The first amendment was subsequently executed.

Authority is now requested for the County of Westchester, acting by and through the Department of Social Services, to further amend the agreement with Westhab, Inc. by: 1) increasing the not to exceed amount by \$3,679,193 from a total not to exceed amount of \$10,798,568 to a new total not to exceed amount of \$14,477,761 to be paid monthly pursuant to an approved budget and subject to appropriation, and 2) changing the end date of the contract from June 30, 2014 to December 31, 2014.

On or about September 27, 2013, the department issued an RFP soliciting proposals from vendors for the operation of the County's Emergency Housing program. Vendors responded and sent in their proposals. However, since that time the County has received the budget and the approval for the restructuring of its entire temporary housing assistance program. New program parameters will be developed and a new RFP will be issued for distribution in the fall of 2014. In the meantime, the extension requested is required in order to provide continued services to the targeted population until a new vendor is selected. The requested increase in funds is associated with the cost of providing services during the extended term.

The **public purpose** of the program is to assist the homeless families in Westchester County in a successful transition from welfare to self-sufficiency and to promote economic independence by providing emergency housing and supportive services.

The **goals and objectives** of the program are to obtain and manage temporary scattered site apartments for families currently living in a shelter. This program also provides supportive services including, but not limited to, case management services to address the barriers to obtaining and maintaining permanent housing; life skills and budget management training; information and referral services to address the family's barriers and coordinating with community agencies to find jobs and permanent housing.

The goals and objectives of this program are in **the best interests of the County in terms of public health and public safety** as they are aimed at enhancing and ensuring the health and safety of the targeted population by providing immediate transitional housing and onsite supervision. This program creates a safe haven for the targeted population, thereby reducing the risk of them becoming victims of crime and developing general health related issues that result from not having appropriate shelter.

The goals and objectives are in the County's **best interests in terms of fiscal responsibility** as the services provided assist the targeted population in finding permanent housing, thereby decreasing the cost associated with providing emergency housing. Additionally, program participants, through referrals to employment services, may become gainfully employed and this would, in turn, reduce their dependency on public assistance.

The goals and objectives will be tracked and monitored through performance measurement indicators developed by the Department and approved by the County Budget Office. The tracking and monitoring include the submission of monthly statistics and quarterly

reports as well as direct contact with the D.S.S. staff in order to swiftly address any impediments to the program's success.

The **Department is able to report that the vendor's Performance Measurement Indicators** indicate that Westhab, Inc.-EHAP (Emergency Housing Assistance) program met its goal of housing eligible customers referred by the Department. During the 2013 contract year, the Program operated at 100% contract capacity. Through 3/31/2014, the program served 264 families with an average length of stay of 367 days. Fifty four (54) families secured permanent housing.

Except as specifically amended herein, all other terms and conditions of the original agreement as amended shall remain the same. The Department is using the Common Grant Rule's "exigency" exemption clause because we MUST provide this service and the Department will be doing the aforementioned RFP based on the restructuring of its temporary housing assistance program during the extension period.

Accordingly, the County of Westchester is seeking authority from your Honorable Board to amend the agreement with Westhab, Inc. for the aforesaid purpose.

A resolution requesting the same is attached for your Honorable Board's approval.

APPROVED BOARD OF ACQUISITION & CONSTRUCTION CONTRACT # 13-07103/2014 - JONATHAN V. HERA, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to amend an agreement with Westhab, Inc. to manage and operate up to 210 scattered site transitional housing units for homeless families by: 1) increasing the not to exceed amount by \$3,679,193, from a total not to exceed amount of \$10,798,568 to a new total not to exceed amount of \$14,477,761 to be paid monthly pursuant to an approved budget, and 2) changing the end date of the contract from June 30, 2014 to December 31, 2014; and be it further

RESOLVED, that this agreement is subject to County Appropriation; 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 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 amended herein, all other terms and conditions of the original agreement shall remain the same; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby empowered to execute all documents and take all actions necessary to effectuate the purposes hereof.

Original agreement: \$7,303,496
 First amendment: \$3,495,072
Second amendment: \$3,679,193
 Total: \$14,477,761

Account to be charged/credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2014	101	22	8900	5850	-----	\$2,705,033
2014	101	22	8900	5860	-----	\$974,160

Budget Funding Year(s): 2014 Start Date: N/A End Date: 12/31/2014
 (must match resolution)

Funding Source		<u>5860</u>	<u>5850</u>
	Tax Dollars:	71%	1%
	State Aid:	29%	0%
	Federal Aid:	0%	99%
	Other:		

\$3,679,193
 (must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
 JOMARY VIEIRA, SECRETARY