

Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

Philippe Gille
First Deputy Commissioner

41623

DATE: September 6, 2014

TO: Board of Acquisition and Contract

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

SUBJECT: Resolution authorizing the County of Westchester to further amend an agreement with the **Youth Shelter Program of Westchester, Inc.** for the provision of shelter services as an alternative to jail for boys aged sixteen to twenty-one who have been arraigned and assigned to the program by a judge by: 1) extending the end date from September 30, 2014 to December 31, 2014; and 2) increasing the amount not to exceed by \$240,848 from an amount not to exceed \$1,445,810 to a new total amount not to exceed \$1,686,658 to be paid monthly pursuant to an approved budget and subject to appropriation.

On or about February 1, 2013, the County of Westchester entered into an agreement with the Youth Shelter Program of Westchester, Inc. for the provision of shelter services as an alternative to jail for boys aged sixteen to twenty-one who have been arraigned and assigned to the program by a judge for the period January 1, 2013 through December 31, 2013 for an amount not to exceed \$811,999.

Through a resolution approved by your Honorable Board on March 27, 2014, the County of Westchester was granted the authority to amend the agreement with the Youth Shelter Program of Westchester, Inc. by: 1) extending the end date from December 31, 2013 to September 30, 2014; and 2) increasing the amount not to exceed by \$633,811 from an amount not to exceed \$811,999 to a new total amount not to exceed \$1,445,810 to be paid monthly pursuant to an approved budget and subject to appropriation (the "First Amendment"). The First Amendment was subsequently executed.

Authority is now requested to further amend the agreement by: 1) extending the end date from September 30, 2014 to December 31, 2014; and 2) increasing the amount not to exceed by \$240,848 from an amount not to exceed \$1,445,810 to a new total amount not to exceed \$1,686,658 to be paid monthly pursuant to an approved budget and subject to appropriation. The additional funding is to pay for the services to be provided during the extended term. There has been an

increase in the amount requested for 2014 contract year and the increase is due to an increase in the referrals.

The **public purpose** of the program is to reach those offenders who are still young to the justice system. Shelter and services are provided to curb their behavior and provide them with some structure and guidance. The desired effect of this intervention is for the youth to develop a sense of pride and self-worth, which will build character and prevent further anti-social behavior.

The **goals and objectives** of the program are to provide shelter to youths who are awaiting disposition of criminal charges in various courts in Westchester County. The program provides varied support services to include, but not limited to, counseling, substance abuse treatment, food, shelter and medical care in a structure that emphasizes responsibility and individualized attention. Program participants are also enrolled in state certified high school education programs.

The goals and objectives of this program are in the **best interest of the County in terms of public health, safety and the environment** as they are aimed at creating a safer environment for the County residents by educating, motivating and providing the youth placed in this program the opportunity to become productive individuals upon their final adjudication and release. Clinical services, such as mental health and substance abuse treatment, which are mandatory, are provided. The Shelter also provides activities geared toward exposing the young men to cultural enrichment.

The goals and objectives are in the **best interest of the County in terms of fiscal responsibility** as the program is designed to reduce the number of youth entering into the County's correctional facility, thereby reducing the associated cost.

The **goals and objectives will be tracked and monitored** using the performance measurement indicators developed by the Department. They include submission of monthly and quarterly reports. In addition, monitoring is also done in the form of direct contact with the Department's staff in order to swiftly address any impediments to the successful execution of the goals and objectives as detailed in the contract.

The **Department is able to report that** the Youth Shelter Program provided shelter and services to 23 youth as of June 30, 2014. During the same period 100% of the youth were diverted from foster care placement, and 100% of the youth were enrolled in educational, vocational and clinical programs.

This contract is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) (xviii) as the proposed agreement is for the purpose of youth service projects and other appropriate programs aimed at preventing youth crimes and advancing the moral, social and mental well-being of the youth in Westchester County. It is of note that program expenses are claimed under Safety Net and therefore, Federal Common Grant Rule does not apply. Except as specifically amended hereby, all other terms and conditions of the original agreement as amended shall remain the same.

Accordingly, the County of Westchester is hereby requesting permission to further amend the agreement with the Youth Shelter Program of Westchester, Inc. for the above said purpose.

An appropriate resolution is attached for your Honorable Board's approval.

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to further amend an agreement with Youth Shelter Program of Westchester, Inc. for the provision of shelter services as an alternative to jail for boys aged sixteen to twenty-one who have been arraigned and assigned to the program by a judge by: 1) extending the end date from September 30, 2014 to December 31, 2014; and 2) increasing the amount not to exceed by \$240,848 from an amount not to exceed \$1,445,810 to a new total amount not to exceed \$1,686,658 to be paid monthly pursuant to an approved budget; and be it further

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

RESOLVED, that this Contract 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 the County Executive or his duly authorized designee is empowered to execute any document necessary to implement this Resolution.

Original Contract Amount: \$811,999
 First Amendment: \$633,811
This Amendment: \$240,848
 Total \$1,686,658

Account to be
 Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2014	101	22	8900	5860	-----	\$240,848

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

Funding Source Tax Dollars: 71%
 State Aid 29%
\$240,848
 (must match resolution) Federal Aid: _____