

Robert P. Astorino  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

Philippe Gille  
First Deputy Commissioner

49478

**Date:** November 9, 2015

**To:** Board of Acquisition and Contract

**From:** Kevin M. McGuire, Commissioner  
Department of Social Services

**Subject:** **Authority to amend an agreement with Volunteers of America-Greater New York, Inc. to operate a Special Category Client Monitoring Program to monitor and track the movements of all Level III and Level II sexual offenders residing at the Westchester County Department of Social Services' Grasslands shelter facility who have victimized a child less than 16 years of age for the period October 1, 2014 through September 30, 2015 for an amount not to exceed \$1,121,625 to be paid pursuant to an approved budget and subject to appropriation, by extending the term of the agreement through December 31, 2015 and by increasing the amount to exceed by \$280,406 for a total not to exceed of \$1,402,031.**

By resolution approved on January 8, 2015, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Volunteers of America-Greater New York, Inc., (VOA) pursuant to which VOA would operate a Special Category Client Monitoring Program to monitor and track the movements of all Level III and Level II sexual offenders residing at the Westchester County Department of Social Services' Grasslands shelter facility who have victimized a child less than 16 years of age for the period October 1, 2014 through September 30, 2015 (the "Agreement") for an amount not to exceed \$1,121,625 to be paid pursuant to an approved budget and subject to appropriation. The agreement was subsequently executed.

The Department recently determined that the census of the Client Monitoring Program has dropped significantly. In November 2014, the average daily census was 28 participants. As of November 1, 2015, the program is operating with an average daily census of 15 participants.

Accordingly, authority is hereby requested to amend the Agreement with Volunteers of America-Greater New York, Inc., (VOA) by extending the term of the agreement through

December 31, 2015 and by increasing the amount not to exceed by \$280,406 to a total not to exceed amount of \$1,402,031.

The **public purpose** of the program is to assist the County of Westchester in ensuring the safety and well-being of children by monitoring and tracking the movements of these offenders through a program designed under the current agreement.

The **goals and objectives** of the Special Category Client Monitoring Program are to monitor and track the movements of all Level III and Level II sexual offenders residing in Westchester County Department of Social Services' shelter facility who have victimized a child less than 16 years of age. This program provides counseling, case management, education, supportive therapy and security to the Level III and Level II sexual offenders whose movements are tracked and monitored. Program attendance is a critical component of the program. Clients attend day treatment programs and group therapy sessions conducted by experts familiar with sex offenders. Clients also receive psychotherapeutic treatment.

The **goals and objectives of this program are in the best interests of the County in terms of fiscal responsibility, public health and safety** as the program provides supportive services including counseling, therapy, education, and assistance in finding employment and permanent housing, thereby assisting program participants in becoming economically independent and improving their behavior and quality of life. The program is aimed at creating a safe environment for children in the County. Further, when an incident occurs with a "special category client", Senior Management reviews the incident and determines what procedures should be implemented to make the services effective in achieving the program goals.

The **goals and objectives will be tracked and monitored** through the electronic submission of monthly reports as well as through direct contact with the Department in order to quickly address problems and assure adherence to the scope of services as outlined in the contract. The Department uses the Performance Measurement Indicators to evaluate the performance of the vendor and the effectiveness of the program.

This contract is exempt from the Westchester County Procurement Policy under Section 3 (a) (xiv) thereof. Since there is no federal funding supporting this program, this proposed agreement is exempt from the Federal Common Grant Rule.

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

A resolution is annexed hereto, which I recommend for your favorable consideration.

## RESOLUTION

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

**RESOLVED**, that the County of Westchester, acting by and through the Department of Social Services, is hereby authorized to amend an agreement with Volunteers of America-Greater New York, Inc. to operate a Special Category Client Monitoring Program to monitor and track the movements of all Level III and Level II sexual offenders residing at the Westchester County Department of Social Services' Grasslands shelter facility who have victimized a child less than 16 years of age for the period from October 1, 2014 through September 30, 2015 for an amount not to exceed \$1,121,625 to be paid pursuant to an approved budget by extending the term of the agreement through December 31, 2015 and by increasing the amount not to exceed by \$280,406 to a total not to exceed amount of \$1,402,031; and be it further

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

**RESOLVED**, that the contract is subject to County Appropriation; and be it further

**RESOLVED**, that these 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 the 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 and all documents necessary to effectuate the purposes hereof.

2015

Original Agreement: \$1,121,625  
 First Amendment: \$ 280,406  
 TOTAL: \$1,402,031

Account to be  
Charged/Credited

|      | Fund | Dept | Major Program,<br>Program & Phase<br>Or Unit | Object/ Sub-<br>Object | Trust<br>Account | Dollars   |
|------|------|------|--|------------------------|------------------|-----------|
| 2015 | 101  | 22   | 8900   | 5860                   | -----            | \$280,406 |
|      |      |      |  |                        | -----            |           |
|      |      |      |  |                        |                  |           |

Budget Funding Year(s): 2015  
(must match resolution)

Start Date: 10/01/14 End Date: 12/31/15

Funding Source

Tax Dollars: 71%

State Aid: 29%

\$280,406

Federal Aid:

(must match resolution)

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/10/2015 - JOAN COCCIARDI, SECRETARY