

Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

Philippe Gille
First Deputy Commissioner

50355

Date: January 26, 2016

To: Board of Acquisition and Contract

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

Subject: **Authority to amend a resolution approved on December 10, 2015 which authorized the County of Westchester 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 by extending the term of the agreement through December 31, 2015 and by increasing the amount not to exceed by \$280,406, by extending the term of the agreement further through February 29, 2016 and by increasing the amount not to exceed by \$186,938 for a new total not to exceed of \$1,588,969 to be paid pursuant to an approved budget and subject to appropriation**

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 from 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.

By resolution approved on December 10, 2015 (the "December 10th Resolution"), your Honorable Board authorized the County of Westchester (the "County") to amend the aforesaid 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 for a new total not to exceed of \$1,402,031. The amendment has not been executed.

The Department recently determined that an additional two (2) months is required to operate the program until modifications can be made to the Client Monitoring Program. Accordingly, authority is respectfully requested to amend the December 10th Resolution in order to extend the term of the agreement through February 29, 2016 and increase the amount not to exceed by \$186,938 for a new total not to exceed of \$1,588,969.

The **public purpose** of the program is to assist the County of Westchester in ensuring the safety and wellbeing 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.

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 **goals and objectives will be tracked and monitored** using the Performance Measurement Indicators developed by the Department. Program office evaluates 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. This contract is exempt from the competitive procurement requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (formerly, the Grants Management Common Rule) because there is no federal funding supporting this program.

Except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the December 10th Resolution shall remain the same.

Amendment is to the resolution because the previous amendment pursuant to December 10th resolution has not been executed.

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 resolution approved on December 10, 2015 (the "December 10th Resolution"), authorizing the County of Westchester 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 by extending the term of the agreement through December 31, 2015 and by increasing the amount not to exceed by \$280,406 for a new total not to exceed amount of \$1,402,031, is hereby amended by extending the term of the agreement through February 29, 2016 and by increasing the amount not to exceed by \$186,938 for a new total not to exceed \$1,588,969; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions set forth in the December 10th Resolution 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.

Original Agreement: \$1,121,625
 First Amendment: \$ 280,406
This Amendment: \$ 186,938
 Total: \$1,588,969

Account to be
 Charged/Credited

	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2016	101	22	8900	5860	-----	\$ 186,938

Budget Funding Year(s): 2016
 (must match resolution)

Start Date: N/A

End Date: 02/29/16

Funding Source

\$186,938
 (must match resolution)

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/25/2016 - LISA MRIJAJ, SECRETARY