

[52589]

DATE: August 9, 2016

TO: Board of Acquisition and Contract

FROM: Mark S. Herceg, Ph.D., Commissioner
Department of Community Mental Health

SUBJECT: Authority to amend an agreement with The Guidance Center, Inc., pursuant to which it was to provide community mental health services, for the period from January 1, 2012 through December 31, 2016, for an amount not-to-exceed \$14,710,725.00, in order to, 1.) change its name to The Guidance Center of Westchester, Inc., 2.) add additional services to be provided, 3.) increase the not-to-exceed amount by \$250,170.00 to pay for the additional services, and 4.) modify the budget to reflect the new, higher not-to-exceed amount and allocate funds within the budget.

On September 3, 2016, at the behest of the New York State Office of Alcoholism and Substance Abuse Services ("OASAS"), the County issued a Request for Information ("RFI") seeking information from vendors qualified to operate an outpatient chemical dependence treatment program for adolescents (the "Program") in accordance with the requirements of 14 NYCRR Part 822 and all other applicable laws, rules, and regulations.

The RFI specified that the County would review the responses it received and then make a recommendation to OASAS as to which vendor should be certified to operate the Program.

In response to the RFI, the County received two (2) responses from the following vendors:

- 1.) The Guidance Center of Westchester, Inc. ("TGCoW")
- 2.) Lexington Center for Recovery, Inc.

Each response was reviewed by a four (4) member review panel in the Department of Community Mental Health ("DCMH"). Based on those reviews, DCMH recommended TGCoW to OASAS for certification for the Program. OASAS subsequently gave its approval and certified TGCoW for the Program, with TGCoW authorized to provide services starting June 1, 2016.

Since services are provided by vendors pursuant to their OASAS certification, an agreement with the County is not always necessary. An agreement with the County is only necessary when a vendor is receiving deficit funding ("State Aid") from OASAS that has been made available through the Local Assistance State Aid process, where the State Aid is given to the County for distribution to such vendor(s).

The RFI specified that State Aid might subsequently be made available, and that only not-for-profit vendors would be eligible to receive it. Since TGCoW is a not-for-profit corporation, it is eligible for State Aid, and OASAS has made State Aid available to it. Therefore, it is necessary for the County to have an agreement with TGCoW for the Program.

Based on OASAS and County administrative procedures, the County must have only one (1) agreement with each vendor under which the vendor receives State Aid. The County has already executed such an agreement with TGCoW. By a resolution approved on December 1, 2011, your Honorable Board authorized the County to enter into an agreement with TGCoW—then legally called “The Guidance Center, Inc.”—pursuant to which it was to provide community mental health services, for the period from January 1, 2012 through December 31, 2016, for an amount not-to-exceed \$14,710,725.00 (the “Agreement”). The Agreement was subsequently executed.

Therefore, the County must amend the Agreement to, 1.) add to the scope of services of the Agreement the additional services of the Program to be provided, 2.) increase the not-to-exceed amount of the Agreement by \$250,170.00 to a new total amount not-to-exceed \$14,960,895.00, to pay for the additional services, and 3.) modify the budget of the Agreement to reflect the new, higher not-to-exceed amount and allocate funds within the budget.

In addition, TGCoW changed its name from “The Guidance Center, Inc.” to “The Guidance Center of Westchester, Inc.” sometime in 2012, with the corporate entity, itself, remaining the same. Therefore, the County must also amend the Agreement to change the name of the vendor from “The Guidance Center, Inc.” to “The Guidance Center of Westchester, Inc.”.

Accordingly, authority is respectfully requested for the County to amend the Agreement in order to, 1.) change the name of the vendor from “The Guidance Center, Inc.” to “The Guidance Center of Westchester, Inc.”, 2.) add to the scope of services of the Agreement the additional services of the Program to be provided, 3.) increase the not-to-exceed amount of the Agreement by \$250,170.00, to a new total amount not-to-exceed \$14,960,895.00, to pay for the additional services, and 4.) modify the budget of the Agreement to reflect the new, higher not-to-exceed amount and allocate funds within the budget (the “Amendment”).

Except as specified above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed Amendment will serve a public purpose by enabling the County to provide the Program, as part of the community mental health services provided by the County, to people who need such services.

The goal and objective of the proposed Amendment is to enable the County to provide the Program, as part of the community mental health services provided by the County, to people who need such services.

The goal and objective of the proposed Amendment is in the best interests of the County in terms of health and the environment, as enabling the County to provide the Program, as part of the community mental health services provided by the County, to people who need such services will help ensure the health and well-being of such persons.

The goal and objective of the proposed Amendment will be tracked and monitored by the staff of DCMH.

This procurement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)(xii) thereof.

I respectfully recommend approval of the attached proposed resolution.

MSH/DA/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/08/2016 - LISA MRIJAJ, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Community Mental Health, be it hereby:

RESOLVED, that the County of Westchester (the "County"), is authorized to amend its agreement with The Guidance Center, Inc., pursuant to which it was to provide community mental health services, for the period from January 1, 2012 through December 31, 2016, for an amount not-to-exceed \$14,710,725.00 (the "Agreement"), in order to, 1.) change the name of the vendor from "The Guidance Center, Inc." to "The Guidance Center of Westchester, Inc.", 2.) add to the scope of services of the Agreement the additional services of an outpatient chemical dependence treatment program for adolescents, to be operated in accordance with the requirements of 14 NYCRR Part 822 and all other applicable laws, rules, and regulations, 3.) increase the not-to-exceed amount of the Agreement by \$250,170.00, to a new total amount not-to-exceed \$14,960,895.00, to pay for the additional services, and 4.) modify the budget of the Agreement to reflect the new, higher not-to-exceed amount and allocate funds within the budget; and be it further

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

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute all instruments and to take any and all actions necessary to effectuate the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	26	183R	4380	T183	250,170
263	26	183R	9854(Revenue)	T183	250,170

Budget Funding Year(s): 5 Start Date: January 1, 2012 End Date: December 31, 2016
(must match resolution)

Funding Source Tax Dollars: _____
 State Aid: 250,170 _____
 Federal Aid: _____ _____
\$250,170.00 Other: _____ _____
 (must match resolution)