

Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

Philippe Gille
First Deputy Commissioner

53725

Date: December 2, 2016

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 as extended and amended with West-H.E.L.P., Inc. for the purpose of managing and providing services to homeless families housed at the Mount Vernon West-H.E.L.P. Family Shelter, located at 240 Franklin Avenue, Mount Vernon, New York for a five year period commencing on October 1, 2011 and terminating on December 31, 2016 for a total amount not-to-exceed \$9,410,468 to be paid monthly pursuant to an approved budget and subject to appropriations in the annual amounts and per diems by; 1) extending the end date of the agreement to June 30, 2017 and, 2) increasing the not to exceed amount by \$ 1,207,393 from a total not to exceed amount of \$9,410,468 to a new total not to exceed amount of \$10,617,861 to be paid monthly pursuant to an approved budget and subject to appropriations

On or about January 12, 2011, the County of Westchester entered into an agreement with West-H.E.L.P., Inc. for the purpose of managing and providing services to homeless families housed at the Mount Vernon West-H.E.L.P. Family Shelter, located at 240 Franklin Avenue, Mount Vernon, New York for a five year period commencing on October 1, 2011 terminating on September 30, 2016 for a total amount not- to-exceed \$8,962,350 to be paid monthly pursuant to an approved budget and subject to appropriations in the annual amounts and per diems.

Through a resolution approved by your Honorable Board on June 18, 2015, the Department amended the aforesaid agreement with West-H.E.L.P, Inc. by 1) deleting language in the contract referring to West-H.E.L.P., Inc. as a New York State Licensed Tier II Family Shelter and, 2) modifying the scope of services by removing Urban League as the designated Educational Coordinator under the Education section of Schedule "A".

Through a resolution approved by your Honorable Board on August 25, 2016, the County further amended the aforesaid agreement by extending the end date to December 31, 2016 and, increasing the not to exceed amount by \$448,118 from a total not to exceed amount of \$8,962,350 to a new total not to exceed amount of \$9,410,468 to be paid monthly pursuant to an approved budget and subject to appropriations. The amendment was subsequently executed.

Authority is now requested to further amend the agreement with West-H.E.L.P., Inc. as extended and amended .by extending the end date to June 30, 2017 and increasing the not to exceed amount by \$1,207,393 from an amount not to exceed \$9,410,468 to a new total not to exceed amount of \$10,617,861. The Department is in the process of issuing a Request for Proposal (the "RFP") to select a new vendor for the continued operation of this facility and the Department needs extended time to complete the RFP process. We were not able to get the RFP issued as expected due to budget related reasons. Additional funding is required to cover the expenses associated with the operation of the facility during the extended term. The Department expects to complete the RFP process during the extended time. Accordingly, the Department believes that it may use the exemption from the competitive procurement requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (formerly the Grants Management Common Rule) based on exigency, because these services must be provided by law.

The services to be provided pursuant to the proposed agreement **serve a public purpose** by assisting the County to provide services and housing to eligible homeless population. These services are aimed at improving the quality of life of the homeless population in the County by assisting the population served in achieving a successful transition from welfare to self-sufficiency.

The **goals and objectives** of the proposed agreement are to provide 24- hour supervision, shelter to homeless residents; and supportive services to include family and group counseling, family mental health assessment, daycare services, assistance in finding permanent housing, and casework services.

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. The program enhances and ensures safety by providing 24-hour supervision and housing. This program creates a safe haven for the targeted population. Providing appropriate shelter for Westchester's homeless population will reduce the risk of them becoming victims of crime and developing general health related issues that result from not having 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 with finding permanent housing, thereby decreasing the cost associated with providing emergency housing.

The goals and objectives will be tracked and monitored through performance measurement indicators developed by the Department. The tracking and monitoring measures include the submission of monthly statistics and quarterly reports as well as through direct contact with the D.S.S. staff in order to swiftly address any impediments to the program's successes.

The **Department is able to report that the vendor's Performance Measurement Indicators** reflect that the Mount Vernon West-H.E.L.P. Family Shelter program met its goal of housing eligible customers referred by the Department. The program operates at over 100% contract capacity. This program effectively provided shelter and supportive services for approximately 115 program participants for the period of 10/1/2015 through 9/30/16, achieving the following outcomes:

- 30 families secured permanent housing
- 38 families secured transitional housing

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 an agreement with West-H.E.L.P., Inc. for the aforesaid purpose.

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/19/2017 - LISA MRIJAJ, SECRETARY

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 as extended and amended with West-H.E.L.P, Inc. for the purpose of managing and providing services to homeless families housed at the Mount Vernon West-H.E.L.P. Family Shelter, located at 240 Franklin Avenue, Mount Vernon, New York for a five year period commencing on October 1, 2011 and terminating on December 31, 2016 for a total amount not-to-exceed \$9,410,468 to be paid monthly pursuant to an approved budget by: 1) extending the end date of the agreement to June 30, 2017 and, 2) increasing the not to exceed amount by \$1,207,393 from a total not to exceed amount of \$9,410,468 to a new total not to exceed amount of \$10,617,861 to be paid monthly pursuant to an approved budget; 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 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 the County Executive or his authorized designee is empowered to execute any document necessary to implement this Resolution.

Original Contract Amount:	\$8,962,350
First Amendment:	-0-
Second Amendment:	\$448,118
This amendment:	<u>\$1,207,393</u>
Total	\$10,617,861

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2017	101	22	8900	5850	-----	\$897,298
2017	101	22	8900	5860	-----	\$310,095

Budget Funding Year(s):2017
(must match resolution)

Start Date: N/A End Date: 06/30/2017

		<u>5850</u>	<u>5860</u>
	Tax Dollars:	1%	71%
Funding Source	State Aid:	0%	29%
<u>\$1,207,393</u>	Federal Aid:	99%	0%
(must match resolution)	Other:		

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/19/2017 LISA MRINAJ, SECRETARY