



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

53739

DATE: December 7, 2016

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to exercise the County's first one-year option under its agreement with Westhab, Inc., pursuant to which it was to operate the Coachman Family Center as a Tier II Shelter for Families.

By a resolution approved on December 18, 2014, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement (the "Agreement") with Westhab, Inc. ("Westhab"), pursuant to which Westhab was to operate the Coachman Family Center (the "CFC") as a Tier II Shelter for Families, as defined in 18 NYCRR Part 900, (a "Tier II Shelter") for an amount not-to-exceed \$7,802,079.00, for the period from January 1, 2015 through December 31, 2016 (the "Initial Term"), with the County having the sole option to extend the term for up to three (3) additional one (1) year periods (each an "Option Term") for the respective not-to-exceed amounts specified below and otherwise on the same terms as the Initial Term:

<u>Period</u>	<u>Not-To-Exceed Amount</u>
First Option Term (1/1/17 – 12/31/17)	\$4,018,457.00
Second Option Term (1/1/18 – 12/31/18)	\$4,098,826.00
Third Option Term (1/1/19 – 12/31/19)	\$4,180,804.00

The Agreement was subsequently executed.

The County continues to require services to operate the CFC as a Tier II Shelter. Therefore, DSS reviewed and analyzed the costs in the Agreement for the first Option Term in order to ensure that they were reasonable. As part of that analysis, DSS obtained from New York State the calculated per-diem rate for two (2) other Tier II Shelters that are outside of New York City and in counties similar to Westchester. Both of those Tier II Shelters are located in

Suffolk County and the calculated per-diem rate for Westhab to provide these services during the next calendar year is the lowest of these Tier II Shelters. DSS's analysis found that the costs comprising the not-to-exceed amount specified above for the first Option Term are reasonable.

Accordingly, the County respectfully requests authority from your Honorable Board to exercise its first one-year option under the Agreement and therefore amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of December 31, 2017; 2.) increasing the not-to-exceed amount thereof by \$4,018,457.00, to a new total not-to-exceed amount of \$11,820,536.00, to pay for the services during the first Option Term, and payable as specified in the Agreement for the first Option Term; and 3.) reflecting the fact that the County will have two (2) one (1) year options remaining under the Agreement (the "First Amendment").

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

The proposed First Amendment will serve a public purpose by providing the County with the services necessary to operate the CFC as a Tier II Shelter in 2017.

The goal and objective of the proposed First Amendment is to provide the County with the services necessary to operate the CFC as a Tier II Shelter in 2017.

The goal and objective of the proposed First Amendment is in the best interests of the County in terms of public health and safety, as the County having the services necessary to operate the CFC as a Tier II Shelter in 2017 will ensure that the CFC can provide housing to eligible families, which will ultimately help ensure the health and safety of those families.

The goals and objectives of the proposed First Amendment will be tracked and monitored by the staff of DSS.

I respectfully recommend the adoption of the attached Resolution.

KMM/BG/bdm/nn

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to exercise its first one-year option under its agreement with Westhab, Inc. (“Westhab”), pursuant to which Westhab was to operate the Coachman Family Center as a Tier II Shelter for Families, as defined in 18 NYCRR Part 900, for an amount not-to-exceed \$7,802,079.00, for the period from January 1, 2015 through December 31, 2016 (the “Initial Term”), with the County having the sole option to extend the term for up to three (3) additional one (1) year periods (each an “Option Term”) for the respective not-to-exceed amounts specified below and otherwise on the same terms as the Initial Term:

<u>Period</u>	<u>Not-To-Exceed Amount</u>
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(the “Agreement”) and therefore amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of December 31, 2017; 2.) increasing the not-to-exceed amount thereof by \$4,018,457.00, to a new total not-to-exceed amount of \$11,820,536.00, to pay for the services during the first Option Term, and payable as specified in the Agreement for the first Option Term; and 3.) reflecting the fact that the County will have two (2) one (1) year options remaining under the Agreement; 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 hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2017	101	22	8900	5850	-----	\$2,986,394
2017	101	22	8900	5860	-----	\$1,032,063

Budget Funding Year(s): 2017 Start Date: 01/01/17 End Date: 12/31/17
(must match resolution)

	<u>5850</u>	<u>5860</u>
Funding Source	Tax Dollars: 1%	71%
	State Aid: 0%	29%
<u>\$4,018,457</u>	Federal Aid: 99%	0%

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/12/2017 - LISA MARIJA SECRETARY