



**Office of the District Attorney
County of Westchester**

MEMORANDUM

53760

12-01-2016

To: HONORABLE MEMBERS
BOARD OF ACQUISITION AND CONTRACTS

From: JAMES McCARTY
ACTING DISTRICT ATTORNEY

MARK HERCEG, PhD
COMMISSIONER, COMMUNITY MENTAL HEALTH

Re: **RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO:**

**1) AMEND AN AGREEMENT WITH THE STATE OF NEW YORK ,
ACTING BY AND THROUGH THE NEW YORK STATE DIVISION OF
CRIMINAL JUSTICE SERVICES (“DCJS”) IN ORDER TO ACCEPT A
GRANT IN THE TOTAL AMOUNT OF \$139,680 TO FUND THE REENTRY
TASK FORCE AND ENHANCED SERVICES GRANT PROGRAM, FOR
THE PROGRAM PERIOD JULY 1, 2015 THROUGH JUNE 30, 2016, BY
EXTENDING THE TERM THEREOF FOR AN ADDITIONAL THREE (3)
MONTHS FROM JULY 1, 2016 THROUGH SEPTEMBER 30, 2016 AND BY
INCREASING THE TOTAL NOT-TO-EXCEED AMOUNT THEREUNDER
BY AN ADDITIONAL \$34,920; AND**

**2) AMEND SUB-AWARDEE AGREEMENTS WITH WESTHAB, INC. AND
WESTCHESTER INDEPENDENT LIVING CENTER BY EXTENDING THE
TERM OF EACH CONTRACT FOR AN ADDITIONAL THREE (3)
MONTHS FROM JULY 1, 2016 THROUGH SEPTEMBER 30, 2016 AND BY
INCREASING THE NOT-TO-EXCEED AMOUNTS BY \$2,398 AND \$2,150
RESPECTIVELY.**

By resolution approved on December 17, 2015 (the “December 17th Resolution”), your Honorable Board authorized the County of Westchester to 1) enter into an agreement with DCJS, in order to accept a grant in the total amount of \$139,680, to be used by the District Attorney’s Office to operate the Reentry Task Force and Enhanced Services Grant (“CRTF”) Program, for the program period July 1, 2015 through June 30, 2016 (the “Grant Agreement”); and 2) enter into sub-awardee agreements with Lexington Center for Recovery, Inc. in an amount not to exceed \$1,250; the Mental Health Association of Westchester County, Inc. in an amount not to exceed \$3,485; Westhab, Inc. (“Westhab”) in an amount not to exceed \$24,000; Family Services of Westchester in an amount not to exceed \$1,495; and Westchester Independent Living Center

“WILC”) in an amount not to exceed \$6,450 (collectively the “Sub-Awardee Agreements”), for the period from July 1, 2015 through June 30, 2016, pursuant to approved budgets, to provide various support services to assist individuals returning from prison to transition back into the community. Both the Grant Agreement and Sub-Awardee Agreements have been executed.

By letter dated May 31, 2016 from DCJS, the District Attorney’s Office was informed that the recently enacted New York Budget for State Fiscal Year 2016-17 includes an additional \$1 million proposed by Governor Cuomo to expand the capacity of the CRTF program and that this additional funding will be provided competitively via a Request for Applications. To allow for the timing of this process and to align the contract terms of any newly-awarded grant contracts with the existing CRTF contracts, DCJS has agreed to provide an initial three (3) month extension of the County’s current Grant Agreement and a \$34,920 increase in the amount of the grant. A portion of this additional grant funding will be used by the DA’s Office to increase the funding under two of the four Sub-Awardee Agreements as follows: \$2,398 will be allocated to the contract with Westhab thereby increasing the total not-to-exceed amount thereunder from \$24,000 to \$26,398; and \$2,150 will be allocated to the contract with WILC thereby increasing the total not-to-exceed amount thereunder from \$6,450 to \$8,600.

Accordingly, authority is respectfully requested to: 1) amend the Grant Agreement with DCJS in order to extend the term thereof for an additional three (3) months, from July 1, 2016 through September 30, 2016 and to increase the grant amount by an additional \$34,920, from \$139,680 to \$174,600; and 2) amend the Sub-Awardee Agreements with Westhab and WILC in order to extend the terms thereof for an additional three (3) months, from July 1, 2016 through September 30, 2016 and to increase the not-to-exceed amounts by \$2,398 and \$2,150 respectively.

Except as otherwise specifically provided hereby, all remaining terms and conditions of the Grant Agreement with DCJS and the Sub-Awardee Agreements with Westhab and WILC shall remain in full force and effect.

The Grant Agreement with DCJS does not constitute procurement and as such is not subject to the requirements of the Westchester County Procurement Policy. The Sub-Awardee Agreements with Westhab and WILC are exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)xvii thereof which exempts procurements “to provide care, treatment, counseling, referral or rehabilitative or preventative services to the mentally ill, mentally retarded, developmentally disabled and those suffering from the disease of alcoholism or substance abuse.”

I certify that my department, a.) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the “Grant Terms”), b.) has reviewed the Grant Terms, c.) is aware of and understands all of the Grant Terms, and d.) can and will comply with all of the Grant Terms.

JM/MC/SV/jpg
Attachment

RESOLUTION

Upon communication from Acting District Attorney James McCarty and Commissioner of Community Mental Health Mark Herceg, PhD

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an agreement with the New York State Division of Criminal Justice Services ("DCJS") to accept a grant in the amount of \$139,680.00 for the District Attorney's Office to operate the Reentry Task Force and Enhanced Services Grant ("CRTF") Program, for the program period July 1, 2015 through June 30, 2016 (the "Grant Agreement"), by extending the term of the Grant Agreement for an additional three (3) months, from July 1, 2016 through September 30, 2016 and by increasing the grant amount thereunder by an additional \$34,920, from \$139,680 to \$174,600; and be it further

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend sub-awardee agreements with Westhab, Inc. ("Westhab") in an amount not to exceed \$24,000 and with the Westchester Independent Living Center ("WILC") in an amount not to exceed \$6,450, for the provision of various support services to assist individuals returning from prison to transition back into the community for the period from July 1, 2015 through June 30, 2016 (the "Sub-Awardee Agreements"), by extending the term of the Sub-Awardee Agreements for an additional three (3) months, from July 1, 2016 through September 30, 2016 and by increasing the not-to-exceed amounts thereunder by \$2,398 and \$2,150 respectively; and be it further

RESOLVED, except as otherwise specifically provided hereby, all remaining terms and conditions of the Grant Agreement with DCJS and the Sub-Awardee Agreements with Westhab and WILC shall remain in full force and effect; and be it further

RESOLVED, that the Acting District Attorney or his duly authorized designee be authorized and empowered to execute any and all documents 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	836Q	9854	T836	\$34,920
263	26	836Q	9855	T836	\$14,390
263	26	836Q	4380	T836	\$4,548

Budget Funding Year(s) _____ Start Date: _____ End Date: _____
(must match resolution)

Funding Source Tax Dollars: \$14,390 __
 State Aid: \$34,920
 Federal Aid 0 _____
 Other 0 _____

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(must match the resolution)