

[53864]

DATE: December 13, 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 each of two (2) agencies, pursuant to each of which the agency was to provide community mental health services, for the period from January 1, 2012 through December 31, 2016, for different, individual not-to-exceed amounts, in order to increase the not-to-exceed amount for each agreement.

By a resolution approved on December 1, 2011, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Community Mental Health, ("DCMH"), to, among other things, enter into an agreement with each of the agencies listed below, pursuant to each of which the agency was to provide community mental health services, for the period from January 1, 2012 through December 31, 2016, for the individual not-to-exceed amounts listed below:

<u>Agency Name</u>	<u>Resolution-Authorized Not-To-Exceed Amount</u>
The Children's Village ("CV")	\$524,462.00
Westchester Residential Opportunities, Inc. ("WRO")	\$4,509,126.00

Both the agreement with CV (the "CV Agreement") and the agreement with WRO (the "WRO Agreement") were subsequently executed. However, the CV Agreement specified a reduced not-to-exceed amount of \$300,000.00. Accordingly, the CV Agreement and the WRO Agreement were, as executed, for the following not-to-exceed amounts:

<u>Agency Name</u>	<u>Not-To-Exceed Amount in Original Agreement</u>
CV	\$300,000.00
WRO	\$4,509,126.00

By a resolution approved on December 10, 2015, your Honorable Board authorized the County to amend the WRO Agreement, in order to increase its authorized not-to-exceed amount by \$87,487.00, from an amount not-to-exceed \$4,509,126.00 to a new amount not-to-exceed \$4,596,613.00, to pay for additional services to be provided (the "WRO Amendment"). The WRO Amendment was subsequently executed.

Accordingly, the CV Agreement and the WRO Agreement, as amended by the WRO Amendment, (together, the "Current Agreements") are currently for the following not-to-exceed amounts:

<u>Agency Name</u>	<u>Current Not-To-Exceed Amount</u>
CV	\$300,000.00
WRO	\$4,596,613.00

The funding for each of the Current Agreements comes from allocations made available to the County by the New York State Office of Children and Family Services and the New York State Department of Mental Hygiene, as well as County funds. The County was recently informed that New York State has made additional funding available for each of the Current Agreements.

Accordingly, the County now respectfully requests that your Honorable Board authorize the County to amend each of the Current Agreements, in order to increase the not-to-exceed amount of each agreement by the individual amounts listed below:

<u>Agency Name</u>	<u>Current Not-To-Exceed Amount</u>	<u>Increase in Not-To-Exceed Amount</u>	<u>Amended Not-To-Exceed Amount</u>
CV	\$300,000.00	\$51,933.00	\$351,933.00
WRO	4,596,613.00	\$22,562.00	\$4,619,175.00

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

The proposed amendments will serve a public purpose by making available to each agency the allocation intended for it by New York State for community mental health services.

The goal and objective of the proposed amendments is to make available to each agency the allocation intended for it by New York State for community mental health services.

The goal and objective of the proposed amendments is in the best interests of the County in terms of health and the environment, as making available to each agency the allocation intended for it by New York State for community mental health services will ultimately allow individuals in need of such services to receive them and thereby have their health be improved.

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

The procurement of these amendments is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)(xii) thereof, as New York State has instructed the County as to the allocation of these funds.

I respectfully recommend the adoption of the attached Resolution.

MSH/TP/bdm/nn

**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"), acting by and through its Department of Community Mental Health, is authorized to amend its agreement with each of the two (2) agencies listed below, pursuant to each of which the agency was to provide community mental health services, for the period from January 1, 2012 through December 31, 2016, for the individual not-to-exceed amounts listed below, (collectively, the "Current Agreements") by increasing the not-to-exceed amount of each of the Current Agreements by the individual amounts listed below, to the new individual not-to-exceed amounts listed below:

<b><u>Agency Name</u></b>	<b><u>Current Not-To-Exceed Amount</u></b>	<b><u>Increase in Not-To-Exceed Amount</u></b>	<b><u>Amended Not-To-Exceed Amount</u></b>
The Children's Village	\$300,000.00	\$51,933.00	\$351,933.00
Westchester Residential Opportunities, Inc.	4,596,613.00	\$22,562.00	\$4,619,175.00

; and be it further

RESOLVED, that except as specifically amended hereby, all terms and conditions of each of the Current Agreements 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
263	26	177R	4380	T177	74,495
263	26	177R	9854	T177	74,495

Budget Funding Year(s): 5 Start Date: 01/01/12 End Date: 12/31/16  
 (must match resolution)

Funding Source	Tax Dollars: _____
<u>\$74,495.00</u>	State Aid: <u>74,495</u> _____
(must match resolution)	Federal Aid: _____
	Other: _____