



George Latimer  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

## 61520

DATE: February 14, 2018

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to enter into an agreement with Westhab, Inc., pursuant to which it will operate an emergency overnight overflow shelter for up to twenty (20) individuals, consisting of families with adults and children, at the Mt. Hope AME Zion Church in White Plains, New York, for the period from February 1, 2018 through March 31, 2018, for an amount not-to-exceed \$73,608.00.

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Authority is respectfully requested from your Honorable Board for the County of Westchester (the "County") to enter into an agreement (the "Agreement") with Westhab, Inc. ("Westhab"), pursuant to which Westhab will operate an emergency overnight overflow shelter for up to twenty (20) individuals, consisting of families with adults and children, at the Mt. Hope AME Zion Church in White Plains, New York, for the period from February 1, 2018 through March 31, 2018, for an amount not-to-exceed \$73,608.00, payable monthly and payable pursuant to an approved budget.

An increasing number of families are in need of emergency overnight shelter in Westchester County. However, the three family shelters in Westchester County are constantly at capacity. Two of the at-capacity shelters do not actually have the ability to shelter families overnight on an emergency basis. The third shelter is the Coachman Family Center (the "Coachman"), which is both the largest family shelter facility and the only one that houses families seeking emergency overnight shelter after normal business hours.

The daily average number of families per month who utilized emergency overnight shelter at the Coachman is as follows:

- November 2017 — 4.3
- December 2017 — 5.6

- January 2018 — 6.5

During the month of January, the County has regularly had between 10 and 15 families per night utilize emergency overnight shelter. Notably, in addition to increased regular need, the County has also encountered, and has had to accommodate, additional need from the public when ‘code blue’ regulatory requirements are in effect due to the weather. This level of need, when the Coachman is constantly at capacity, has required the Coachman to institute cot protocols.

The County did not anticipate the recent level of need for emergency overnight shelter and, as explained above, is unable to continue to regularly adequately accommodate such need. Accordingly, the County now has an emergency need for additional shelter services, such that the County cannot wait to provide such services until after a competitive procurement has been performed.

Therefore, this procurement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)(xi) thereof, which exempts “any procurement made pursuant to procurement procedures provided for under any other federal or state law applicable to such procurement”, and Section 13 thereof, which specifies that each procurement that is funded, in whole or in part, by federal funds shall be made in accordance with any and all applicable federal laws, regulations, rules, guidance, instructions, or grant terms, as this procurement complies with 2 C.F.R. 200.320(f)(2), which allows for non-competitive procurement when “[t]he public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation”.

The proposed Agreement will serve a public purpose by providing the County with additional capacity for families in need of shelter.

The goal and objective of the proposed Agreement is to provide the County with additional capacity for families in need of shelter.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of public health and safety, as the County having additional capacity for families in need of shelter will ensure that the County can house eligible families, which will ultimately help ensure the health and safety of those families.

The goals and objectives of the proposed Agreement will be tracked and monitored by the staff of the Department of Social Services.

I respectfully recommend the adoption of the attached resolution.

KMM/SR/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 enter into an agreement (the "Agreement") with Westhab, Inc. ("Westhab"), pursuant to which Westhab will operate an emergency overnight overflow shelter for up to twenty (20) individuals, consisting of families with adults and children, at the Mt. Hope AME Zion Church in White Plains, New York, for the period from February 1, 2018 through March 31, 2018, for an amount not-to-exceed \$73,608.00, payable monthly and payable pursuant to an approved budget; and be it further

**RESOLVED**, that this Agreement is subject to County appropriations; 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 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
101	22	8900	5850	-----	\$49,552
101	22	8900	5860	-----	\$24,056

Budget Funding Year(s): 2018  
(must match resolution)

Start Date: 02/01/18

End Date: 03/31/18

Funding Source	Tax Dollars:	<u>5860</u>	<u>5850</u>
	State Aid:	71%	1%
	Federal Aid:	29%	0%
<u>\$73,608</u>	Other:	0%	99%
(must match resolution)			