

George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

62562

DATE: April 4, 2018

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 and extend an agreement with **The Sharing Community, Inc.** to operate an overnight warming site/drop-in center at a facility known as the **Broadway Manor Emergency Shelter** located at 101 North Broadway, Yonkers, New York for the period January 1, 2017 through March 30, 2018 for an amount not to exceed \$527,687: 1) by extending the end date to June 30, 2018; and 2) by reducing their budget for services not provided by \$109,958 to a reduced revised total not to exceed \$417,729; and 3) by increasing the revised total not to exceed by \$90,091 to be paid monthly pursuant to an approved budget and subject to appropriation.

Through a Resolution approved on January 19, 2017, your Honorable Board authorized the County of Westchester to enter into an agreement with The Sharing Community, Inc. to operate an overnight warming site/drop-in center at a facility known as the **Broadway Manor Emergency Shelter** located at 101 North Broadway, Yonkers, New York for the period from January 1, 2017 through June 30, 2017 for an amount not to exceed \$186,840 to be paid monthly pursuant to an approved budget and subject to appropriation. The agreement was subsequently executed (“Agreement”)

Through a Resolution approved on August 29, 2017, your Honorable Board authorized the County of Westchester to amend and extend the aforesaid agreement for three months to end on September 30, 2017 and by increasing the not to exceed amount by \$80,879 from an amount not to exceed \$186,840 to a new total not to exceed \$267,719 to be paid pursuant to an approved budget and subject to appropriation. The amendment was subsequently executed.

Through a resolution approved on December 7, 2017, your Honorable Board authorized County of Westchester to further amend and extend the aforesaid agreement for six months to end on March 31, 2018 and by increasing the not to exceed amount by \$259,968 from an amount

not to exceed \$267,719 to a new total not to exceed \$527,687 to be paid pursuant to an approved budget and subject to appropriation. The amendment was subsequently executed. The vendor did not provide certain services included in the budget. Therefore, we are requesting for a reduction of the amounts related to those items from the budget. We are making an adjustment in the amount of \$109,958 to the aforesaid new total from an amount not to exceed \$527,687 to a new total not to exceed \$417,729.

Accordingly, authority is now being requested to amend and extend the contract further: 1) by extending the end date to June 30, 2018; and 2) by reducing their budget for services not provided by \$109,958 to a reduced revised total not to exceed \$417,729; and 3) by increasing the revised total not to exceed by \$90,091 to new total not to exceed \$507,820 to be paid monthly pursuant to an approved budget and subject to appropriation.

The **public purpose** of the proposed agreement is to provide a safe, warm, supervised place for homeless individuals who are outside the shelter system of Westchester County to sleep at night, off the street and out of the weather. In addition to this impact on the individuals, this also benefits the public good; as without the presence of the overnight warming site/drop-in center, these people would likely be seeking out public places to sleep and/or escape from the elements. The presence of overnight warming site/drop-in center provides a referral option for local officials and members of the community that is more humane and less costly than trying to use jail or other alternatives to remove the homeless from public places.

The **goals and objectives** of the program are to provide an overnight warming site/drop-in center for homeless individuals.

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 ensuring the health and safety of the targeted population by providing a safe, warm, supervised warming site/drop-in center.

The goals and objectives of the proposed amendment are in the **best interests** of the County and are fiscally responsible as they will ensure the health and safety of customers by providing shelter to persons who would otherwise be on the street, thereby reducing the risk of crime and reducing dependence on public assistance.

The goals and objectives will be tracked and monitored through performance measurement indicators developed by the Department. The tracking and monitoring tools include the submission of monthly statistics and quarterly reports as well as direct contact with the Department's staff in order to swiftly address any impediments to the program's success. The Department is able to report that from January through October of 2017 three hundred and ninety-two (392) individuals received emergency overnight homeless shelter services through this program.

This contract is exempt from the Westchester County Procurement Policy under Section 3(a) (xiv).

Except as specifically amended hereby, all other terms and conditions of the original agreement as amended shall remain in full force and effect.

Accordingly, the County of Westchester is hereby requesting permission to amend and extend the agreement with The Sharing Community, Inc. for the above said purpose.

An appropriate resolution is attached for your Honorable Board's approval.

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/12/2018 - LISA MARIJAS SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester, acting by and through its Department of Social Services, is hereby authorized to amend and extend an agreement with The Sharing Community, Inc.: to operate an overnight warming site/drop-in center at a facility known as the **Broadway Manor Emergency Shelter**, located at 101 North Broadway, Yonkers, New York for the period from January 1, 2017 through March 31, 2018 for an amount not to exceed \$527,687 to be paid monthly pursuant to an approved budget: 1) by extending the end date to June 30, 2018; and 2) by reducing their budget for services not provided by \$109,958 to a reduced revised total not to exceed \$417,729; and 3) by increasing the revised total not to exceed by \$90,091, from an amount not to exceed \$417,729 to a new total not to exceed \$507,820 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 shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee is empowered to execute any document necessary to implement this Resolution.

Original Contract Amount:	\$186,840
First Amendment:	80,879
Second Amendment:	259,968
Adjustment for services not provided:	(109,958)
This Amendment /extension:	<u>90,091</u>
New Total:	\$507,820

Charged/Credited

	Fund	Dept	Major Program Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2018	101	22	8900	5860	-----	90,091

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

Start Date: N/A

End Date: 06/30/2018

Funding Source

Tax Dollars: 71%

State Aid: 29%

\$90,091
(must match resolution)

Federal Aid: 0%

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/2/2018 - LISA MARIJAJ, SECRETARY

er:

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/12/2018 - LISA MRIJAJ, SECRETARY