

George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

64352

DATE: July 24, 2018

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to amend an agreement with The Sharing Community, Inc., pursuant to which it was 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, by, 1.) extending its term by three (3) months, to a new termination date of September 30, 2018, and 2.) increasing its not-to-exceed amount by \$90,091.00, to a new total not-to-exceed amount of \$597,911.00, to pay for services during the extended term..

By a resolution approved on January 19, 2017, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with The Sharing Community, Inc. ("TSC"), pursuant to which TSC was 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, (the "Services") for the period from January 1, 2017 through June 30, 2017, for an amount not to exceed \$186,840.00, payable monthly pursuant to an approved budget (the "Original Agreement"). The Original Agreement was subsequently executed.

By a resolution approved on August 29, 2017, your Honorable Board authorized the County to amend the Original Agreement by, 1.) extending its term by three (3) months, to a new termination date of September 30, 2017, and 2.) increasing its not-to-exceed amount by \$80,879.00, to a new total not-to-exceed amount of \$267,719.00, in order to pay for the Services during the extended term (the "First Amendment"). The First Amendment was subsequently executed.

By a resolution approved on December 7, 2017, your Honorable Board authorized the

County to amend the Original Agreement, as amended by the First Amendment, by, 1.) extending its term by six (6) months, to a new termination date of March 31, 2018, and 2.) increasing its not-to-exceed amount by \$259,968.00, to a new total not-to-exceed amount of \$527,687.00, in order to pay for the Services during the extended term (the "Second Amendment"). The Second Amendment was subsequently executed.

By a resolution approved on April 12, 2018, your Honorable Board authorized the County to amend the Original Agreement, as amended by the First Amendment and the Second Amendment, by, 1.) extending its term by three (3) months, to a new termination date of June 30, 2018, and 2.) reducing the total not-to-exceed amount by \$19,867.00, to a new total not-to-exceed amount of \$507,820.00, based on the need for an increase of \$90,091.00 in order for TSC to provide the Services during the extended term and the need for a decrease of \$109,958.00 in order to reflect the fact that TSC had not provided certain budgeted parts of the Services during the previous term (the "Third Amendment"). The Third Amendment was subsequently executed.

The County continues to require the Services. The County intended to issue a request for proposals that would have included the Services and resulted in the competitive procurement of a contractor for the Services for the period starting July 1, 2018. However, the County has had to spend an unexpected amount of time sorting out legal issues associated with the intended request for proposals. As a consequence, the County has determined that it will not be able to begin receiving the Services from a competitively-procured contractor before October 1, 2018. Therefore, the County respectfully requests that your Honorable Board authorize the County to amend the Original Agreement, as amended by the First Amendment, the Second Amendment, and the Third Amendment, (the "Agreement") by, 1.) extending its term by three (3) months, to a new termination date of September 30, 2018, and 2.) increasing its not-to-exceed amount by \$90,091.00, to a new total not-to-exceed amount of \$597,911.00, in order to pay for the Services during the extended term.

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

The proposed amendment will serve a public purpose by enabling the County to continue to provide a safe, supervised place to sleep at night for homeless individuals who are outside the County's shelter system and might otherwise be forced to sleep in public places.

The goal and objective of the proposed amendment is to enable the County to continue to provide a safe, supervised place to sleep at night for homeless individuals who are outside the County's shelter system and might otherwise be forced to sleep in public places.

The goal and objective of the proposed amendment is in the best interests of the County in terms of health and safety, as enabling the County to continue to provide a safe, supervised place to sleep at night for homeless individuals who are outside the County's shelter system and might otherwise be forced to sleep in public places will ultimately help ensure the health and safety of such individuals..

The goal and objective of the proposed amendment will be tracked and monitored by the

staff of the Department of Social Services via regular reports and the tracking of performance measures.

The proposed amendment is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)(xiv) thereof.

I respectfully recommend approval of the attached resolution.

KMM/BG/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/16/2018 - LISA MARIJAJ, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend its agreement with The Sharing Community, Inc. ("TSC"), pursuant to which TSC was 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, 2018, for an amount not to exceed \$507,820.00, payable monthly pursuant to an approved budget, (the "Agreement") by, 1.) extending its term by three (3) months, to a new termination date of September 30, 2018, and 2.) increasing its not-to-exceed amount by \$90,091.00, to a new total not-to-exceed amount of \$597,911.00, in order to pay for services during the extended term; 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.

Original Contract Amount: \$186,840.00
 First Amendment: \$ 80,879.00
 Second Amendment: \$259,968.00
 Third Amendment: (\$ 19,867.00)
 This Amendment: \$ 90,091.00
 New Total: \$597,911.00

Account to be Charged/Credited

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

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

Start Date: N/A

End Date: 09/30/2018

Funding Source
\$90,091
 (must match resolution)

Tax Dollars: 71%
 State Aid: 29%
 Federal Aid: 0%
 Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/16/2018 - USA MRIJAJ, SECRETARY