

[64779]

DATE: August 15, 2018

TO: Board of Acquisition and Contract

FROM: Michael Orth, M.S.W.
Commissioner
Department of Community Mental Health

SUBJECT: Authority to enter into an agreement with Program Design and Development, LLC, pursuant to which it will provide planning and management services concerning the Westchester County Continuum of Care Partnership for the Homeless, for an amount not-to-exceed \$130,326.00, for the period from September 1, 2018 through May 31, 2019.

Authority is requested for the County of Westchester (the "County") to enter into an agreement with Program Design and Development, LLC ("PD&D"), pursuant to which PD&D will provide planning and management services concerning the Westchester County Continuum of Care Partnership for the Homeless (the "Services"), for an amount not-to-exceed \$130,326.00, payable pursuant to an approved budget, for the period from September 1, 2018 through May 31, 2019 (the "Agreement"). The proposed Agreement will be funded by a grant from the United States Department of Housing and Urban Development, for which the County applied as the "collaborative applicant" with the Westchester County Continuum of Care Partnership for the Homeless (the "CoC").

On August 3, 2018, the County, acting by and through its Department of Community Mental Health ("DCMH"), issued a request for proposals that solicited proposals from vendors to provide the Services (the "RFP"). In response to the RFP, DCMH received one (1) proposal. DCMH had several individuals review the proposal from PD&D and evaluate it based upon the evaluation criteria specified in the RFP. DCMH conducted an analysis of the cost proposal from PD&D and found that it is reasonable. Based on DCMH's review of the proposal from PD&D, DCMH is satisfied that it is a responsible vendor for these services.

DCMH issued requests for proposals for similar planning-type services in both 2016 and 2017. In each past instance, even when other prospective proposers have made preliminary inquiries, only PD&D has submitted a proposal. Accordingly, the County has determined that, after the above-described solicitation of a number of sources via the RFP, and in light of the past similar requests for proposals, competition for the Services is inadequate. Therefore, pursuant to 2 C.F.R. 200.320(f)(4) and Section 13 of the Procurement Policy, the County can proceed with

the proposed Agreement despite receiving only one (1) proposal in response to the RFP.

The proposed Agreement will serve a public purpose by providing the County with the Services, which are intended to ultimately help the Westchester County Continuum of Care Partnership for the Homeless (the "CoC") better serve homeless persons in Westchester County.

The goal and objective of the proposed Agreement is to provide the County with the Services, which are intended to ultimately help the CoC better serve homeless persons in Westchester County.

The proposed Agreement is in the best interests of the County in terms of health and safety, as providing the County with the Services is intended to ultimately help the CoC better serve homeless persons in Westchester County and thereby help ensure their health and safety.

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

I respectfully recommend the adoption of the attached Resolution.

MO/TP/bdm/mn

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/30/2018 - JOHN COCCARDO, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Community Mental Health, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement with Program Design and Development, LLC ("PD&D"), pursuant to which PD&D will provide planning and management services concerning the Westchester County Continuum of Care Partnership for the Homeless, for an amount not-to-exceed \$130,326.00, payable pursuant to an approved budget, for the period from September 1, 2018 through May 31, 2019 (the "Agreement"); 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
263	26	536T	4380	T536	130,326
263	26	536T	9852	T536	130,326

Budget Funding Year(s): 1 Start Date: 09/01/18 End Date: 05/31/19
(must match resolution)

Funding Source	Tax Dollars: _____
<u>\$130,326.00</u>	State Aid: _____
(must match resolution)	Federal Aid: <u>130,326</u>
	Other: _____