

65875

Date: November 1, 2018

To: The Honorable Board of Acquisition and Contract

From: Rocco A. Pozzi, Commissioner of Department of Probation

Subject: Authority to amend an agreement with Children's Village, Inc. for the provision of Secure Detention and related services at Woodfield Secure Detention Cottage from January 1, 2018 through December 31, 2020 in an amount not to exceed \$9,038,830 in order to increase the not to exceed amount of the agreement by \$14,372,190 for the term July 1, 2018 through December 31, 2019, in order to accommodate the new population of males and females aged sixteen at the time they are alleged to have committed the acts leading to their detention, which takes effect on October 1, 2018.

Authority is requested for the County of Westchester ("County"), acting by and through its Department of Probation ("Department"), to amend an agreement with Children's Village, Inc. ("Children's Village") for the provision of Secure Detention and related, medical, clinical, educational, transportation cleaning, security systems and food services at Woodfield Secure Detention Cottage ("Woodfield Cottage") for the period January 1, 2018 through December 31, 2020 in the total amount not to exceed \$9,038,830 (the "Agreement"), in order to provide services to the new population of males and females aged sixteen years of age at the time they are alleged to have committed the acts leading to their detention, as required by NY Criminal Procedure Law §510 taking effect October 1, 2018 and aged seventeen taking effect October 1, 2019. The proposed amendment will be for the term July 1, 2018 through December 31, 2019 and will authorize Children's Village to prepare for and provide secure detention services to this new population at an increased cost of \$14,372,190 for a total not to exceed amount of \$23,411,020 (the "Amendment"), payable pursuant to an approved budget.

The Department is required to provide secure detention and educational services as well as related services to all youth remanded by the New York Family Court as Juvenile Delinquents ("JDs") and Juvenile Offenders ("JOs") and Adolescent Offenders ("AOs"). It should be noted that the upper end of the age of the youth to be remanded will increase to less than seventeen in October 2018 and to less than 18 in October 2019. The population to be served consists of males and females who are at least ten years of age and less than sixteen (less than seventeen, effective October 1, 2018 and less than eighteen, effective October 1, 2019) years of age at the time they are alleged to have committed the acts leading to their detention. The October 1, 2018 effective date has recently passed, and the New York State Office of Children and Family Services ("OCFS") has approved the budget to accommodate the increased population at Woodfield Cottage for the term July 1, 2018 through December 31, 2019. On October 1, 2018, the secure detention program can accommodate or detain a maximum of 54 juveniles, an increase in 30 from the maximum number of 24 that had been in place from January 1, 2018 through September 30, 2018. All other terms and conditions of the Agreement shall remain in full force and effect.

The proposed Amendment serves a public purpose by ensuring the safety and well-being of the detainees in the facility and the residents of the County. Pursuant to this Agreement, Children's Village will provide educational and secure detention services in Woodfield Cottage for all youth referred who are JDs, Jos and AOs. This program will provide a positive behavior modification incentive where youth earn points for positive behavior and lose points for negative behavior. The higher they reach on the points charts (based on the "belt" system in karate), the more they are able to earn privileges that are in keeping with the secure detention facility. The program will also operate utilizing positive role modeling and incentives that will result in youth adopting positive traits. The program will also be an accredited GED testing station in addition to offering a wide range of appropriate educational services. Children's Village will provide all youth at Woodfield Cottage with New York State's regulated complement of services and supports, providing the following services as needed: medical, clinical health, mental health, educational, recreational, life skills, transportation, cleaning, security systems and food service.

The goals and objectives of the Amendment are to provide secure detention services aimed at developing a balanced juvenile system that promotes community protection, fair and appropriate placement, accountability, and competency development for JDs, JOs and AOs. This program addresses the needs of these JDs, JOs and AOs in the following areas:

- Medical care
- Substance abuse services
- Mental health services
- Food services
- Counseling services
- Recreation and life skills
- Education

The goals and objectives of this program are in the best interests of the County in terms of public safety as the services provided to these detainees will help prevent youth crimes and delinquency and aid in the advancement of the moral, mental and social well-being of youth in Westchester County. The program will help create a peaceful living environment for its residents while assisting the detainees in becoming better people through the supportive services provided pursuant to the Agreement. The goals and objectives of the Agreement will be monitored using performance measures. The secure detention program can accommodate or detain a maximum of 54 juveniles. All youth admitted to the program receive orientation and intake, youth development and surveillance, educational, health and clinical services. It should be noted that not all of the admissions are Westchester County residents that Woodfield Cottage frequently serves other counties surrounding Westchester and occasionally other counties throughout the state. Westchester County does not have control of the after care decisions for those out-of-county placements.

Accordingly, approval of the attached resolution authorizing the County to amend an agreement with Children's Village Services, Inc. for the term July 1, 2018 through December 31, 2019 term is respectfully requested.

RAP/DI
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”), acting by and through its Department of Probation (“Department”), is authorized to amend an agreement with Children’s Village, Inc. (“Children’s Village”) for the provision of secure detention and related, medical, clinical, educational, transportation cleaning, security systems and food services at Woodfield Secure Detention Cottage for the period January 1, 2018 through December 31, 2020 in an amount not to exceed \$9,038,830, (the “Agreement”) in order to prepare for and provide increased services to the new population of males and females aged sixteen years of age at the time they are alleged to have committed the acts leading to their detention, takes effective October 1, 2018, and aged seventeen effective October 1, 2019, at an increased cost of \$14,372,190 for the term July 1, 2018 through December 31, 2 019 for a total not to exceed amount of \$23,411,020, payable pursuant to an approved budget; and be it further

RESOLVED, that all other terms and conditions of the Agreement shall remain in full force and effect; 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 after such release(s) or adoptions(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 either to 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 authorized designee is authorized and empowered to execute and deliver all instruments and take all action necessary and appropriate to effectuate the purpose hereof.

Original Agreement: \$9,038,830
 This Amendment: 14,372,190
 TOTAL: \$23,411,020

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit/sub-unit	Object/ Sub Object	Trust Account	Dollars
101	39	2000/2200	4380		14,372,190

Budget Funding Year(s) 2018-19 Start Date: 7/1/18 End Date: 12/31/2019
 (Must match resolution)

Funding Source Tax Dollars _____
 State Aid 14,372,190
\$14,372,190 Federal Aid _____
 Other _____
 (Must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/08/2018 - USA MRI, INC., SECRETARY