

George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

66410

DATE: December 3, 2018

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to exercise the third of the County's four (4) renewal options under an Agreement with STRIVE International, Inc. ("STRIVE"), pursuant to which STRIVE agreed to introduce and reinforce the STRIVE Core Service model, provide the County with a license to use the STRIVE Program and related materials as well as STRIVE's trademarks and logos, by retroactively renewing the Agreement for (1) additional year, from July 1, 2018 through June 30, 2019 for an amount not to exceed \$53,500, payable pursuant to an approved budget.

By resolution approved on September 3, 2015 (the "September 3rd Resolution") your Honorable Board authorized the County of Westchester ("County"), acting by and through its Department of Social Services (the "Department"), to enter into an agreement ("Agreement") with East Harlem Employment Service Inc., d/b/a STRIVE (Support and Training Result in Valuable Employees) to introduce and reinforce the STRIVE Core Service model and to provide the County with a license to use the STRIVE program and related materials (the "STRIVE Program") as well as to provide observation and training visits to participants with STRIVE CORE trainers and subsequent technical assistance sessions to reinforce CORE program expectations and methodology to designated staffs of the Department of Social Services and Westhab, Inc. The Agreement was for the period from July 1, 2015 through June 30, 2016 for an amount not to exceed \$53,500 to be paid pursuant to an approved budget and subject to appropriation.

Thereafter, by resolution approved on October 22, 2015 (the "October 22nd Resolution"), your Honorable Board authorized the County to amend the September 3rd Resolution in order to 1) reflect the agency's new name "STRIVE International, Inc."; 2) expand the scope to include an authorization for the County to become a non-exclusive licensee of STRIVE's trademarks and logos; and 3) reflect the County's reservation of an option to renew the Agreement for up to four (4) additional one (1) year terms, subject to the availability of funding and the further approval of your Honorable Board. The Agreement was subsequently executed.

Thereafter by resolution approved on August 25, 2016 (the “August 25th Resolution”), your Honorable Board authorized the County to enter into an Agreement with East Harlem Employment Service, Inc. d/b/a STRIVE to introduce and reinforce the STRIVE Service model and to provide the County with a license to use the STRIVE program and related materials as well as to provide observation and training visits to participants with STRIVE CORE trainers and subsequent technical assistance sessions to reinforce CORE program expectations and methodology to designated staffs of the Department of Social Services and Westhab, as a contractor of the County, and attend the Annual STRIVE Institute, for an amount not to exceed \$53,500 to be paid pursuant to an approved budget for the period from July 1, 2016 through June 30, 2017.

Thereafter by resolution approved on August 24, 2017 (the “August 24th Resolution”), your Honorable Board authorized the County to amend the August 25th Resolution by reflecting: 1) the agency’s new name “STRIVE International, Inc.”; 2) that the County will continue to be a non-exclusive licensee of STRIVE’s trademarks and logos; and 3) that the County will be exercising the first of its four (4) renewal options to renew the Agreement for (1) additional year, from July 1, 2016 through August 31, 2017. An amendment to authorize the County to exercise the first renewal option under the Agreement was subsequently executed (the “First Amendment”).

Thereafter by resolution approved on December 7, 2017 (the “December 7th Resolution”), your Honorable Board authorized the County to exercise the second of its four (4) renewal options under the Agreement with STRIVE to renew the Agreement for the period retroactive to July 1, 2017 and continuing through June 30, 2018 for an amount not-to-exceed \$53,500, payable pursuant to an approved budget (the “Second Amendment”). The Second Amendment was subsequently executed.

The County now wishes to exercise the third of its four (4) renewal options under the Agreement with STRIVE. Accordingly, authority is requested for the County to exercise the third of its four (4) renewal options under its Agreement with STRIVE, pursuant to which STRIVE will continue to introduce and reinforce the STRIVE Core Service model, provide the County with a license to use the STRIVE Program and related materials as well as STRIVE’s trademarks and logos, to renew the Agreement with STRIVE for the period retroactive to July 1, 2018 and continuing through June 30, 2019 for an amount not-to-exceed \$53,500, payable pursuant to an approved budget and subject to appropriation.

It should be noted that STRIVE owns the trademark STRIVE which is a distinctive and proprietary system developed to help unemployed women and men find jobs and achieve financial independence. This is a unique system. Therefore, the proposed option to renew the Agreement is exempt from the Westchester County Procurement Policy pursuant to the Sole Source exemption, Section 9 of the Policy. This contract is also exempt from the application of the Common Grant Rules as it is available only from a single source (*See* 45 CFR 92.36(4)(i)(A)).

The public purpose of this program is to provide the Department and designated contractors with training in the STRIVE service model which will give persons currently on temporary assistance the skills and resources needed to obtain employment which will lead to self

sufficiency. The goal and objective of providing training in the STRIVE methodology will be monitored by the Department's employment program office.

Except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the Agreement with STRIVE, as previously amended, shall remain unchanged and in full force and effect.

Accordingly, your Honorable Board's approval of the attached resolution is respectfully recommended.

KMM/KK/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/03/2019 - LISA MEIJAJ, 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 exercise the third of its four (4) renewal options under an agreement with STRIVE International, Inc. (“STRIVE”), pursuant to which STRIVE agreed to introduce and reinforce the STRIVE Core Service model, provide the County with a license to use the STRIVE Program and related materials as well as STRIVE’s trademarks and logos (the “Agreement”), by extending the Agreement with STRIVE for the period retroactive to July 1, 2018 and continuing through June 30, 2019 for an amount not-to-exceed \$53,500, payable pursuant to an approved budget; and be it further

RESOLVED, that except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the Agreement, as previously amended, shall remain in full force and effect; and be it further

RESOLVED, that the County Executive, or his authorized designee, is authorized to execute any and all documents necessary to effectuate the purposes hereof.

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2018	101	22	8900	5860	-----	\$15,905
2019	101	22	8900	5860	-----	\$15,904
	263	22	708T	4380	T708	\$21,691

Budget Funding Year(s): 2018-19 Start Date: 07/01/18 End Date: 06/30/19

(Must match resolution)

Funding Source		<u>T708</u>	<u>5860</u>
	Tax Dollars:		71 %
	State Aid:		29 %
<u>\$53,500</u>	Federal Aid:	100 %	
(must match res)	Other:		