



George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

67641

DATE: February 1, 2019

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to enter into an agreement with The Sharing Community, Inc. (“TSC”), for the period from January 1, 2019 through December 31, 2019, with the County having the sole option to extend the term for up to four (4) one (1) year terms thereafter pursuant to which agreement, a.) TSC will provide services to operate single room occupancy residences, double room occupancy residences, and an emergency overnight drop-in shelter for single individuals, at 101 North Broadway, Yonkers, New York, for an amount not-to-exceed \$650,000.00 for the initial term, and b.) the County will sublease 101 North Broadway, Yonkers, New York to TSC to facilitate TSC’s provision of said services.

Authority is requested from your Honorable Board for the County of Westchester (the “County”) to enter into an agreement (the “Agreement”) with The Sharing Community, Inc. (“TSC”), for the period from January 1, 2019 through December 31, 2019 (the “Initial Term”), with the County having the sole option to extend the term for up to four (4) one (1) year terms thereafter (each an “Option Term”) on the same terms except for costs, as specified below, pursuant to which Agreement, a.) TSC will provide services (the “Services”) to operate single room occupancy residences (“SROs”), double room occupancy residences (“DROs”), and an emergency overnight drop-in shelter for single individuals, at 101 North Broadway, Yonkers, New York, (the “Premises”), for an amount not-to-exceed \$650,000.00 for the Initial Term, and for the following not-to-exceed amounts for each of the Option Terms:

First Option Term (1/1/20 – 12/31/20):	\$677,750.00
Second Option Term (1/1/21 – 12/31/21):	\$705,970.00
Third Option Term (1/1/22 – 12/31/22):	\$734,945.00

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Fourth Option Term (1/1/23 – 12/31/23): \$762,995.00

all of which will be payable pursuant to an approved budget; and b.) the County will sublease the Premises to TSC to facilitate TSC's provision of the Services, subject to the terms of the County's lease for the Premises (the "County's Lease"), including, without limitation, the County's receipt of the consent of the owner of the Premises, the County will sublease the Premises to TSC to facilitate TSC's provision of the Services.

Under the Agreement, the County will have termination rights that will include, without limitation, the ability to terminate the Agreement as of the February 28, 2022, when the County's Lease will expire, if the County does not otherwise continue to lease the Premises.

On August 22, 2018, the County, acting by and through its Department of Social Services ("DSS"), issued a request for proposals that solicited proposals from vendors to provide the Services (the "RFP"). In response to the RFP, DSS received one (1) proposal. DSS had several individuals review the proposal and evaluate it based upon the evaluation criteria specified in the RFP. The result of DSS's review and evaluation of the proposal was that the proposal from TSC was found to be generally satisfactory. However, TSC's proposed costs were found to be in excess of what DSS had earlier believed to be necessary. Lengthy, extensive negotiations between the County and TSC were conducted, and they resulted in TSC ultimately reducing its proposed costs. DSS conducted an analysis of the revised proposed cost from TSC and found that it is reasonable. Based on DSS's review of the proposal from TSC and its past performance under other contracts with the County, DSS is satisfied that it is a responsible vendor for the Services.

The proposed agreement will serve a public purpose by enabling the County to both 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, and also provide longer-term SROs and DROs for persons in need of such shelter who meet the applicable requirements for occupancy.

The goal and objective of the proposed agreement is to enable the County to both 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, and also provide longer-term SROs and DROs for persons in need of such shelter who meet the applicable requirements for occupancy.

The goal and objective of the proposed agreement is in the best interests of the County in terms of health and safety, as enabling the County to both 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, and also provide longer-term SROs and DROs for persons in need of such shelter who meet the applicable requirements for occupancy, will ultimately help ensure the health and safety of such persons.

The goal and objective of the proposed amendment will be tracked and monitored by the staff of the Department of Social Services.

I respectfully recommend approval of the attached resolution.

KMM/PQ/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/14/2019 - LISA MRIJAJ, 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 enter into an agreement (the "Agreement") with The Sharing Community, Inc. ("TSC"), for the period from January 1, 2019 through December 31, 2019 (the "Initial Term"), with the County having the sole option to extend the term for up to four (4) one (1) year terms thereafter (each an "Option Term") on the same terms except for costs, as specified below, pursuant to which Agreement, a.) TSC will provide services (the "Services") to operate single room occupancy residences ("SROs"), double room occupancy residences ("DROs"), and an emergency overnight drop-in shelter for single individuals, at 101 North Broadway, Yonkers, New York, (the "Premises"), for an amount not-to-exceed \$650,000.00 for the Initial Term, and for the following not-to-exceed amounts for each of the Option Terms:

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Third Option Term (1/1/22 – 12/31/22):	\$734,945.00
Fourth Option Term (1/1/23 – 12/31/23):	\$762,995.00

all of which will be payable pursuant to an approved budget; and b.) subject to the terms of the County's lease for the Premises (the "County's Lease"), including, without limitation, the County's receipt of the consent of the owner of the Premises, the County will sublease the Premises to TSC to facilitate TSC's provision of the Services; and be it further

RESOLVED, that, under the Agreement, the County will have termination rights that will include, without limitation, the ability to terminate the Agreement as of the February 28, 2022, when the County's Lease will expire, if the County does not otherwise continue to lease the Premises; 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
2019	101	22	8900	5860	-----	\$650,000

Budget Funding Year(s): 2019 Start Date: 01/01/19 End Date: 12/31/19
(must match resolution)

Funding Source Tax Dollars: 71%
State Aid: 29%
\$650,000.00 Federal Aid: 0%
(must match resolution) Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/14/2019 - LISA MRIJAJ, SECRETARY