

George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

70269

DATE: May 29, 2019

TO: Board of Acquisition and Contract

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

SUBJECT: Resolution seeking authority for the County of Westchester to amend an agreement with Lifting Up Westchester, Inc. to operate an emergency shelter as well as an overnight Drop-In shelter for single homeless women outside the Department's regular shelter system at a facility known as the **Samaritan House** located at 33 Church Street, White Plains, New York; and to operate an emergency shelter as well as an overnight Drop-In shelter for single homeless men outside the Department's regular shelter system at a facility known as the **Open Arms Shelter** located at 86 East Post Road, White Plains, New York, for the period January 1, 2018 through December 31, 2018 for an amount not to exceed \$2,066,730 in order: 1) to increase the not to exceed amount by \$65,376 to cover the deficiency resulted from unanticipated and under budgeted program expenses; and 2) to increase the not to exceed amount by \$48,459 to cover the additional day time operating expenses, from a total not to exceed \$2,066,730 to a new total not to exceed \$2,180,565

Through a resolution approved on March 1, 2018, your Honorable Board authorized the County of Westchester, acting by and through its Department of Social Services, to enter into an agreement with Lifting Up Westchester, Inc. 1) to operate an emergency shelter as well as an overnight Drop-In shelter for single homeless women outside the Department's regular shelter system at a facility known as the **Samaritan House** located at 33 Church Street, White Plains, New York; and 2) to operate an emergency shelter as well as an overnight Drop-In shelter for single homeless men outside the Department's regular shelter system at a facility known as the **Open Arms Shelter** located at 86 East Post Road, White Plains, New York, for the period from January 1, 2018 through December 31, 2018 for an amount not to exceed \$2,066,730 to be paid monthly pursuant to an approved budget and subject to appropriation. The contract was subsequently executed.

Inadvertently, the aforesaid program was not adequately budgeted which resulted in a deficiency with the expenses exceeding the revenue. Further, the agency had some repair work done to their Heating and A/C system during contract year which was an unanticipated expense. Combined together, the total deficiency amounted to \$65,376. The vendor is entitled to get reimbursed for the difference between the actual expenses and the estimated expenses.

The agency also incurred expenses in the amount \$48,459 for the additional day time operations during the contract year which was not budgeted.

Accordingly, authority is now requested from your Honorable Board to amend the aforesaid agreement by: 1) increasing the not to exceed by \$65,376 to cover the deficiency resulted from under budgeting and the unanticipated Heating and A/C repair; and 2) increasing the not to exceed by \$48,459 to pay for the additional day time operations during the contract year, from an amount not to exceed \$2,066,730 to a new total not to exceed \$2,180,565.

The services to be provided pursuant to this contract serve the **public purpose** by assisting the County to improve the quality of life for the targeted population in the County of Westchester by providing emergency shelters, drop-in shelters and supportive services.

The **goals and objectives** of the program are to provide immediate emergency housing to eligible homeless single men and women. Both the Samaritan House and the Open Arms Shelter provide 24 hours on-site supervision, meals, counseling, supportive services that include assistance in finding permanent housing, linkages to outside agencies for job training, drug/alcohol programs, medical treatment, education, and life skills. Both sites will also provide emergency overnight drop-in centers for the target population of homeless men and women outside the Department's regular shelter system, thereby keeping them off the streets during the night hours.

The goals and objectives of this program are in **the best interests of the County in terms of public health and public safety** as they are aimed at enhancing and ensuring the health and safety of the targeted population by providing immediate emergency housing and onsite supervision. This program creates a safe haven for the targeted population, thereby reducing the risk of them becoming victims of crime and developing general health related issues that result from not having appropriate shelter.

The goals and objectives are in the County's **best interests in terms of fiscal responsibility** as the services provided assist the targeted population in finding transitional and permanent housing, thereby decreasing the cost associated with providing emergency housing. Additionally, through referrals to employment services, the customers may become gainfully employed, thus reduce their dependency on public assistance.

The goals and objectives as stated in the resolution will be tracked and monitored through performance measurement indicators created by the Department. They include, but are not limited to, the submission of monthly statistics and quarterly report as well as direct contact with program staff.

This contract is exempt from the procedures of the Westchester County Procurement Policy under Section 3(a) (xiv) thereof. This contract is not subject to the competitive procurement

requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (formerly, the Grants Management Common Rule) as there is no federal funding for this program.

Except as specifically amended hereby, all other terms and conditions of the agreement dated March 8, 2018 shall remain in full force and effect.

Therefore, the County of Westchester is hereby requesting permission to amend an agreement with Lifting Up Westchester, Inc. for the aforesaid purpose.

A resolution requesting the same is attached for your Honorable Board's approval.

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/11/2019 - LISA MARIJAJ, SECRETARY

RESOLUTION

Upon a communication from the Commissioner 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 amend an agreement with Lifting Up Westchester, Inc. to operate an emergency shelter as well as an overnight Drop-In shelter for single homeless women outside the Department's regular shelter system at a facility known as the **Samaritan House** located at 33 Church Street, White Plains, New York; and to operate an emergency shelter as well as an overnight Drop-In shelter for single homeless men outside the Department's regular shelter system at a facility known as the **Open Arms Shelter** located at 86 East Post Road, White Plains, New York, for the period from January 1, 2018 through December 31, 2018 for an amount not to exceed \$2,066,730 by: 1) increasing the not to exceed by \$65,376 to cover the deficiency resulted from under budgeting and the unanticipated Heating and A/C repair; and 2) increasing the not to exceed by \$48,459 to pay for the additional day time operations during the contract year, from an amount not to exceed \$2,066,730 to a new total not to exceed \$2,180,565; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the original agreement shall remain in full force and effect; and be it further

RESOLVED, that this Contract is subject to County Appropriation; 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 authorized designee is empowered to execute any document necessary to implement this Resolution.

Original Contract Amount:	\$2,066,730
This Amendment:	<u>\$113,835</u>
New Total:	\$2,180,565

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2018	101	22	8900	5860	-----	\$113,835

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

Start Date: N/A

End Date: N/A

Funding Source

\$113,835
(must match resolution)

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/11/2019 - LISA MRIJAJ, SECRETARY