

71448

To: The Honorable Board of Acquisition and Contract

From: Rocco A. Pozzi
Commissioner
Department of Probation

Date: September 3, 2019

Re: 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 \$9,038,830.00 in order to increase the not to exceed amount of the agreement by \$1,385,102.98 to a total not to exceed amount of \$10,423,932.98 (An additional \$1,385,102.98 for the first year of the agreement for start-up costs for the period July 1, 2018 through September 30, 2018 and additional operational costs for the period October 1, 2018 through December 31, 2018).

On December 14, 2017, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Probation (the "Department") to enter into 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") from January 1, 2018 through December 31, 2020 in a total amount not to exceed \$9,038,830.00, payable at the rate of \$2,997,900.00 per year with an additional \$45,130.00 in start-up costs in the first year and in accordance with an approved budget (the "Agreement"). The Agreement was subsequently executed.

Authority is being requested herein for the County, through the Department, to enter into a first amendment to the Agreement to increase the not to exceed amount of the first year of the Agreement (January 1, 2018 through December 31, 2018) by an additional \$1,385,102.98 from a not to exceed amount of \$3,043,030.00 to a not to exceed amount of \$4,428,132.98. This additional amount is for additional start-up costs in the amount of \$143,787.78 for the period July 1, 2018 through September 30, 2018 and additional operational costs in the amount of \$1,241,315.20 for the period October 1, 2018 through December 31, 2018 for the provision of secure detention and related medical, clinical, education, transportation, cleaning, security systems and food services at Woodfield Cottage in accordance with an approved budget. The new total not to exceed amount of the three year Agreement will be \$10,423,932.98. All other terms and conditions of the Agreement shall remain in full force and effect.

The Department has been advised that the New York State Office of Children and Family Services has approved these additional costs in accordance with the County's plan in connection with the "Raise the Age" program and that the County will receive reimbursement for these additional costs.

The proposed first amendment to the Agreement will serve a public purpose by ensuring the safety and well-being of the detainees in the facility and the residents of the County Children's Village provides 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 first amendment to the Agreement 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 Juvenile Delinquents ("JDs"), Juvenile Offenders ("JOs") and Adolescent Offenders ("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 the first amendment to the Agreement 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 the County. The program helps to create a peaceful living environment for its residents while assisting the detainees in becoming better people through the supportive services provided pursuant to the program. The goals and objectives of the first amendment to the Agreement are monitored using performance measures.

Accordingly, approval of the attached resolution is respectfully requested.

RAP/LAC
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester, (the "County") acting by and through its Department of Probation, is authorized to amend an agreement with Children's Village, Inc. 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") to increase the not to exceed amount for the first year of the Agreement (2018) by \$1,385,102.98 from a not to exceed amount of \$3,043,030.00 to a not to exceed amount of \$4,428,132.98 for additional start-up costs for the period July 1, 2018 through September 30, 2018 in the amount of \$143,287.78 and additional operational costs in the amount of \$1,241,315.20 for the period October 1, 2018 through December 31, 2018, to a new total amount not to exceed \$10,423,932.98 for the three year term of the Agreement, 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 first amendment to the Agreement is subject to County appropriations; and be it further

RESOLVED, that this first amendment to the 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 first amendment to the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to Children's Village, then Children's Village shall have the right to terminate this first amendment to the 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:	\$9,038,830.00
This Amendment:	<u>1,385,102.98</u>
TOTAL:	\$10,423,932.98

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		1,385,102.98

Budget Funding Year(s) 2018 Start Date: 7/1/18 End Date: 12/31/2018

(must match resolution)

Funding Source

Tax Dollars _____
State Aid **\$1,385,102.98 ***

\$1,385,102.98

Federal Aid _____

Other _____

(must match resolution)

*anticipated to be reimbursed from New York State Office of Children and Family Services

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/22/2019 - LISA MARIJAS SECRETARY