



George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

74315

DATE: February 19, 2020

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to amend an agreement with The Young Women’s Christian Association of Yonkers, pursuant to which it was to provide services to provide and operate an emergency overnight shelter at 68 Palisade Avenue in the city of Yonkers, for single male individuals, by, a.) extending its term by three (3) months, to a new expiration date of March 31, 2020, b.) modifying its scope of services to add additional services, and c.) increasing its not-to-exceed amount by \$487,646.00.

By a resolution approved on June 27, 2019 (the “6/27 Resolution”), your Honorable Board authorized the County of Westchester (the “County”) to enter into an agreement (the “Original Agreement”) with The Young Women’s Christian Association of Yonkers (the “YWCA of Yonkers”), pursuant to which the YWCA of Yonkers is to provide services to provide and operate an emergency overnight shelter at 68 Palisade Avenue in the city of Yonkers, for single male individuals, with said shelter also providing daytime services on all ‘code blue’ days specified by New York State; in other such circumstances when 24-hour shelter must, pursuant to law, be provided; and on any other days as directed by the County and/or New York State, (the “Services”) for the period from June 30, 2019 through September 30, 2019, for the following not-to-exceed amounts, each of which is to be payable pursuant to an approved budget:

TOTAL	OVERNIGHT 9:00 PM – 9:00 AM ET	DAYTIME 9:00 AM – 9:00 PM ET
\$411,604.00	\$330,865.00	\$80,739.00

The Original Agreement was subsequently executed.

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By a resolution approved on July 3, 2019, your Honorable Board authorized the County to amend the Original Agreement by adding a provision to allow the County to advance the YWCA of Yonkers up to twenty-five percent (25%) of the above-stated total not-to-exceed amount (the "First Amendment"). The First Amendment was subsequently executed.

By a resolution approved on October 17, 2019, your Honorable Board authorized the County to amend the Original Agreement, as amended by the First Amendment, by (the "Second Amendment"), a.) extending its term by three (3) months, to a new expiration date of December 31, 2019, and b.) increasing its total not-to-exceed amount by \$411,604.00, to a new total not-to-exceed amount of \$823,208.00, in order to pay for services during the extended term, with said increase consisting of the following not-to-exceed amounts for specific aspects of the Services during the extended term, which shall be payable pursuant to an approved budget:

TOTAL	OVERNIGHT 9:00 PM – 9:00 AM ET	DAYTIME 9:00 AM – 9:00 PM ET
\$411,604.00	\$330,865.00	\$80,739.00

The Second Amendment was subsequently executed. However, it should be noted that the overnight portion of the Services for the extended term ultimately had a budget of \$303,367.00, rather than \$330,865.00. Accordingly, the total not-to-exceed amount of the Original Agreement, as amended by the First Amendment and the Second Amendment, (the "Agreement") was \$795,710.00, rather than \$823,208.00.

As noted in the previous resolutions regarding this matter, the Agreement was an unexpected, necessary stop-gap measure, until the facility at 10 Saint Casimir would be ready for use. However, due to continuing circumstances, the space at 10 Saint Casimir Avenue was not available for use by the end of the term of the Agreement, on December 31, 2019. Accordingly, in order to ensure that the County has the necessary emergency overnight shelter capacity in the city of Yonkers in the meantime, the County is seeking to continue to utilize the space at 68 Palisade Avenue. However, the County has recently found that the space at 68 Palisade Avenue is not always sufficient for the number of persons requiring emergency overnight shelter. As an alternative for excess capacity, the YWCA of Yonkers is to transport additional persons to space at Operations Drive in Valhalla and operate an emergency overnight shelter at that location as needed, and provide daytime shelter services for such additional persons at that location or 68 Palisade Avenue when required (the "Overflow Services").

Accordingly, the County respectfully requests authority from your Honorable Board to amend the Agreement by (the "Third Amendment"), a.) extending its term by three (3) months, to a new expiration date of March 31, 2020, b.) modifying its scope of services to add the Overflow Services, effective November 12, 2019, and c.) increasing its total not-to-exceed amount by \$487,646.00, to a new total not-to-exceed amount of \$1,283,356.00, in order to pay for the Services during the extended term and pay for the Overflow Services for the period from November 12, 2019 through the extended term, with said increase consisting of the following not-to-exceed amounts for the Services and the Overflow Services, as specified below, which shall be payable pursuant to an approved budget:

	SERVICES & OVERFLOW SERVICES 1/1/20 – 3/31/20 (9:00 PM – 9:00 AM ET) OVERNIGHT	SERVICES & OVERFLOW SERVICES 1/1/20 – 3/31/20 (9:00 AM – 9:00 PM ET) DAYTIME	OVERFLOW SERVICES 11/12/19 – 12/31/19
TOTAL	\$487,646.00	\$397,379.00	\$54,348.00
			\$35,919.00

Except as described above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed Third Amendment will serve a public purpose by enabling the County to 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. The proposed Third Amendment will also serve a public purposes by enabling the County to provide a safe, warm place for homeless individuals during the daytime as required, such as when New York State specifies a 'code blue' day.

The goal and objective of the proposed Third Amendment 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 provide a safe, warm place for homeless individuals during the daytime as required, such as when New York State specifies a 'code blue' day.

The goal and objective of the proposed Third Amendment 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 provide a safe, warm place for homeless individuals during the daytime as required, such as when New York State specifies a 'code blue' day, will ultimately help ensure the health and safety of such persons.

The goal and objective of the proposed Third Amendment will be tracked and monitored by the staff of the Department.

The proposed Third Amendment is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)(xiv) thereof.

I respectfully recommend the adoption of the attached Resolution.

KMM/LVL/bdm/nn

RESOLUTION

Upon a communication from the Commissioner of Social Services, be it hereby

RESOLVED, that the County of Westchester (the “County”) is hereby authorized to amend an agreement with The Young Women’s Christian Association of Yonkers (the “YWCA of Yonkers”), pursuant to which the YWCA of Yonkers was to provide services to provide and operate an emergency overnight shelter at 68 Palisade Avenue in the city of Yonkers, for single male individuals, with said shelter also providing daytime services on all ‘code blue’ days specified by New York State; in other such circumstances when 24-hour shelter must, pursuant to law, be provided; and on any other days as directed by the County and/or New York State, (the “Services”) for the period from June 30, 2019 through December 31, 2019, for a total amount not-to-exceed \$795,710.00 (the “Agreement”) by, a.) extending its term by three (3) months, to a new expiration date of March 31, 2020, b.) modifying its scope of services to add transportation of additional persons to space at Operations Drive in Valhalla and operation of an emergency overnight shelter at that location as needed, and provision of daytime shelter services for such additional persons at that location or 68 Palisade Avenue when required, (the “Overflow Services”) effective November 12, 2019, and c.) increasing its total not-to-exceed amount by \$487,646.00, to a new total not-to-exceed amount of \$1,283,356.00, in order to pay for the Services during the extended term and pay for the Overflow Services for the period from November 12, 2019 through the extended term, with said increase consisting of the following not-to-exceed amounts for the Services and the Overflow Services, as specified below, which shall be payable pursuant to an approved budget:

	SERVICES & OVERFLOW SERVICES 1/1/20 – 3/31/20 (9:00 PM – 9:00 AM ET) OVERNIGHT	SERVICES & OVERFLOW SERVICES 1/1/20 – 3/31/20 (9:00 AM – 9:00 PM ET) DAYTIME	OVERFLOW SERVICES 11/12/19 – 12/31/19
TOTAL	\$487,646.00	\$397,379.00	\$54,348.00
			\$35,919.00

; and be it further

RESOLVED, that except as hereby authorized to be amended, all terms and conditions of the Agreement shall remain in full force and effect; 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	-----	\$35,919
2020	101	22	8900	5860	-----	\$451,727

Budget Funding Year(s): 2019-2020 Start Date: 11/12/19 End Date: 03/31/20
 (must match resolution)

Funding Source Tax Dollars: 71%
 State Aid: 29%
\$487,646.00 Federal Aid: 0%
 (must match resolution) Other:

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