

George Latiner
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

OnBase #75525

DATE: March 20, 2020

TO: Board of Acquisition and Contract

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

SUBJECT: Resolution authorizing the County of Westchester to retroactively amend an agreement with the Y.W.C.A. of Yonkers, Inc. (the "Y.W.C.A."), pursuant to which the Y.W.C.A. agreed to provide permanent supportive housing for no fewer than 35 single homeless women and an Emergency Overnight Shelter for up to 50 women at a facility known as the Y.W.C.A. of Yonkers for the period from January 1, 2019 through December 31, 2019 for an amount not to exceed \$1,062,000, by: 1) clarifying that the Emergency Overnight Shelter was open 24/7 during this period; and 2) increasing the not-to-exceed amount thereunder by an additional \$340,269, to reimburse the Y.W.C.A. for costs associated with leaving the Emergency Overnight Shelter open 24/7.

By resolution approved on January 3, 2019 (the "January 3rd Resolution"), your Honorable Board authorized the County of Westchester ("County"), acting by and through its Department of Social Services ("Department"), to enter into an agreement with the Y.W.C.A., pursuant to which the Y.W.C.A. would provide (i) permanent supportive housing for no fewer than 35 single homeless women and (ii) Emergency Overnight Shelter for up to 50 women at a facility known as the Y.W.C.A. of Yonkers located at 87 South Broadway, Yonkers, New York, for the period from January 1, 2019 through December 31, 2019 for an amount not to exceed \$1,062,000, to be paid monthly pursuant to an approved budget and subject to appropriation (the "Agreement"). The Agreement was subsequently executed.

On July 4th 2018, the Department ordered that all of its emergency overnight shelters would remain open 24/7, even on non-code "blue" days. The original reason for keeping the drop in shelters open 24/7 was to provide a refuge for the drop-in homeless population during a particularly bad heatwave so they were not forced to remain on the streets. After the hot weather subsided, it was decided to keep the drop-in shelters open on a 24/7 basis permanently to give the homeless population an alternative to remaining on the streets. However, due to an administrative oversight, this policy change was not reflected in the Agreement or in the January 3rd Resolution that authorized it. Nevertheless, the Y.W.C.A. followed the Department's order and kept the emergency shelter open 24/7 throughout 2019. The Department promised the Y.W.C.A. that the County would eventually reimburse it for keeping the shelter open on a 24/7 basis. The parties recently determined that the

Y.W.C.A. is owed an additional \$340,269 for keeping the overnight emergency shelter open 24/7 throughout 2019.

Accordingly, authority is respectfully requested to retroactively amend the Agreement with the Y.W.C.A., pursuant to which the Y.W.C.A. agreed to provide permanent supportive housing for no fewer than 35 single homeless women and an Emergency Overnight Shelter for up to 50 women at a facility known as the Y.W.C.A. of Yonkers for the period from January 1, 2019 through December 31, 2019 for an amount not to exceed \$1,062,000, by: 1) clarifying that the Emergency Shelter was open 24/7 throughout 2019; and 2) increasing the not-to-exceed amount authorized thereunder by an additional \$340,269, from an amount not-to-exceed \$1,062,000, to a new amount not-to-exceed \$1,402,269, in order to reimburse the Y.W.C.A. for costs associated with leaving the Emergency Overnight Shelter open 24/7 during that period.

Except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the Agreement will remain in full force and effect.

The services to be provided pursuant to the proposed agreement serve a **public purpose** by assisting the County to provide permanent supportive housing and emergency overnight shelter to eligible homeless women. These services are aimed at improving the quality of life for the homeless population in the County by assisting the population served in achieving a successful transition from welfare to self-sufficiency and economic independence while providing them with shelter and supportive services.

The **goals and objectives** of the proposed agreement are to provide permanent supportive housing and shelter to homeless women.

The **goals and objectives** of the proposed Agreement are in the **best interests of the County in terms of public health and public safety** as the Y.W.C.A. shall provide permanent housing and supportive services for the participants to increase their success in maintaining permanent housing as they transition from welfare to self-sufficiency and economic independence. The program will provide life skills workshops and referrals to programs to address medical and mental health issues. The program under the proposed agreement provides a safe haven for the targeted population and reduces the risk of them becoming victims of crime and developing general health related issues that result from inadequate housing.

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

The **goals and objectives will be tracked and monitored** through performance measurement indicators developed by the Department. The Y.W.C.A. submits monthly statistics and quarterly reports. The Y.W.C.A. also contacts the Department staff directly to address any impediments to the program's success.

This proposed agreement is exempt from the Westchester County Procurement Policy under Section 3(a) (xiv). 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.

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

RESOLUTION

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

RESOLVED, that the County of Westchester ("County"), acting by and through its Department of Social Services, is hereby authorized to retroactively amend an agreement with the Y.W.C.A. of Yonkers, Inc. (the "Y.W.C.A."), pursuant to which the Y.W.C.A. agreed to provide permanent supportive housing for no fewer than 35 single homeless women and an Emergency Overnight Shelter for up to 50 women at a facility known as the Y.W.C.A. of Yonkers for the period from January 1, 2019 through December 31, 2019 for an amount not to exceed \$1,062,000, by: 1) clarifying that the Emergency Overnight Shelter was open 24/7 throughout 2019; and 2) increasing the not-to-exceed amount authorized thereunder by an additional \$340,269, from an amount not-to-exceed \$1,062,000 to a new amount not-to-exceed \$1,402,269, in order to reimburse the Y.W.C.A. for costs associated with leaving the Emergency Overnight Shelter open 24/7 during this period; and be it further

RESOLVED, that this agreement 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.

Account to be Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2019	101	22	8900	5860	-----	\$340,209

Budget Funding Year(s): 2019
(must match resolution)

Start Date: 1/1/2019 End Date: 12/31/2019

Funding Source

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

\$340,209
(must match resolution)