



George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

[75752]

DATE: March 31, 2020

TO: Board of Acquisition and Contract

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

SUBJECT: Authority for the County of Westchester to enter into an agreement with Westchester Community Opportunity Program, Inc., pursuant to which it will operate housing that is provided by the County for COVID-19 patients who have been released from the hospital but are not yet able to return to their prior housing.

Authority is respectfully requested from your Honorable Board for the County of Westchester (the "County") to enter into an agreement (the "Agreement") with Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP will operate housing that is provided by the County for COVID-19 patients who have been released from the hospital but are not yet able to return to their prior housing (each such person a "Client"), including, but not necessarily limited to, transportation of each Client to and from the County-provided housing, providing three (3) meals per day per Client, and providing all housekeeping and laundry for each Client, (the "Services") for the period from April 1, 2020 through June 30, 2020, for a total amount not-to-exceed \$369,534.00.

Under the proposed Agreement, the County-provided housing for which WestCOP will provide the Services will, for at least the period from April 1, 2020 through April 30, 2020, be located at 25 Valley Avenue in Elmsford, but may be located elsewhere for the remainder of the term of the proposed Agreement.

The proposed Agreement will serve a public purpose by ensuring the proper operation of the County-provided housing for COVID-19 patients who have been released from the hospital but are not yet able to return to their prior housing.

The goal and objective of the proposed Agreement is to ensure the proper operation of the County-provided housing for COVID-19 patients who have been released from the hospital but are not yet able to return to their prior housing.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of health and safety, as ensuring the proper operation of the County-provided housing for COVID-19 patients who have been released from hospital but are not yet able to return to their prior housing will ensure that such persons have adequate housing and services while they recuperate.

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

The emergency circumstances concerning COVID-19, and the risk that would be associated with each Client prematurely returning to his/her prior housing, are such that procurement of the Services in compliance with the ordinary requirements of the Westchester County Procurement Policy would endanger the health, safety, and well-being of persons by causing the procurement process to take a longer period of time. Accordingly, the proposed Agreement is being procured as an accelerated procurement pursuant to Section 10 of the Westchester County Procurement Policy.

Section 13 of the Westchester County Procurement Policy specifies that each procurement that is funded, in whole or in part, by federal funds shall be made in accordance with any and all applicable federal laws, regulations, rules, guidance, instructions, or grant terms. Specifically, this procurement complies with 2 C.F.R. 200.320(f)(2), which allows for non-competitive procurement when “[t]he public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation”, based on the emergency that currently exists with regard to COVID-19 and the related urgent need for housing-related services for persons who will be in County-provided housing while recuperating from the virus.

I respectfully recommend the adoption of the attached Resolution.

KMM/BG/bdm/nm

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 Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP will operate housing that is provided by the County for COVID-19 patients who have been released from the hospital but are not yet able to return to their prior housing (each such person a "Client"), including, but not necessarily limited to, transportation of each Client to and from the County-provided housing, providing three (3) meals per day per Client, and providing all housekeeping and laundry for each Client, (the "Services") for the period from April 1, 2020 through June 30, 2020, for a total amount not-to-exceed \$369,534.00; and be it further

RESOLVED, that, under the Agreement, the County-provided housing for which WestCOP will provide the Services will, for at least the period from April 1, 2020 through April 30, 2020, be located at 25 Valley Avenue in Elmsford, but may be located elsewhere for the remainder of the term of the Agreement; and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED, that 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 the 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 the 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 the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is empowered to execute all documents and take all actions necessary to effect the purpose of this resolution.

Account to be
Charged/Credited

Fund	Dept	Unit	Object/ Sub Object	Trust Account	Activity	Dollars
101	22	0010	4998			\$369,534

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

Start Date: 04/01/20 End Date: 06/30/20

Funding Source

\$369,534.00
(must match resolution)

Tax Dollars: _____

State Aid: _____

Federal Aid: 100%

Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACTS - 04/02/2020 - LISA MRJAS SECRETARY