

George Latimer  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

**76689**

**DATE:** May 13, 2020

**TO:** Honorable Members of the Board of Acquisition and Contract

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

**SUBJECT:** Authority to amend Resolution #75007, approved by your Honorable Board on March 26, 2020, to enter into an agreement with Rising Ground, Inc. to provide residential treatment services to a homeless young adult male suffering from chronic illness who is under the care and custody of DSS Adult Protective Services (“APS”), for a term commencing retroactive to June 5, 2019 and continuing through June 4, 2020 in an amount not to exceed \$163,323, in order to 1) modify the Scope of Services to state the young adult male is only in the care of DSS APS, 2) change the term of the agreement to commence June 8, 2019 and expiring on June 7, 2020, and 3) decrease the not to exceed amount by \$594, from \$163,323 to a new total not to exceed amount of \$162,729.

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By resolution approved on March 26, 2020 (the “March 26<sup>th</sup> Resolution”), your Honorable Board authorized the County of Westchester (the “County”), acting by and through its Department of Social Services (the “Department”), to enter into an agreement with Rising Ground, Inc. to provide residential treatment services to a homeless young adult male suffering from chronic mental illness who is under the care and custody of DSS Adult Protective Services, for a term commencing retroactive to June 5, 2019 and continuing through June 4, 2020 for an amount not to exceed \$163,323, payable pursuant to an approved budget and subject to appropriations (the “Agreement”). The Agreement has not yet been executed.

The Department now seeks authority of your Honorable Board to amend the March 26<sup>th</sup> Resolution in order to 1) modify the Scope of Services to state the young adult male suffering from chronic mental illness is only under the care of DSS Adult Protective Services, 2) change the term of the Agreement from June 5, 2019 through June 4, 2020 to June 8, 2019 and expiring on June 7, 2020, and 3) reduce the amount not to exceed by \$594, from \$163,323 to a new total not to exceed amount of \$162,729.

Except as specifically amended hereby, all other terms and conditions set forth in the March 26<sup>th</sup> Resolution shall remain in full force and effect.

Accordingly, the County of Westchester is hereby requesting authority to enter into an agreement with Rising Ground, Inc. for the aforesaid purpose.

An appropriate resolution requesting your Honorable Board's approval is attached herewith.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/28/2020 - LISA MRIJAJ, SECRETARY

## RESOLUTION

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

**RESOLVED**, that the County of Westchester (“County”) is hereby authorized to amend Resolution #75007 approved on March 26, 2020 (the “March 26<sup>th</sup> Resolution”), which authorized the County of Westchester (the “County”), acting by and through its Department of Social Services (the “Department”), to enter into an agreement with Rising Ground, Inc. to provide residential treatment services to a homeless young adult male suffering from chronic mental illness who is under the care and custody of DSS Adult Protective Services, for a term commencing retroactive to June 5, 2019 and continuing through June 4, 2020 for an amount not to exceed \$163,323; and be it further,

**RESOLVED**, that the Scope of Services is modified to state that the young adult male is only in the care of DSS Adult Protective Services; and be it further

**RESOLVED**, that the term of the agreement shall commence retroactively on June 8, 2019 and expire on June 7, 2020; and be it further

**RESOLVED**, that the amount not to exceed is reduced by \$594 from \$163,323, to a new not to exceed amount of \$162,729; and be it further

**RESOLVED**, that except as specifically amended hereby, all other terms and conditions set forth in the March 26<sup>th</sup> Resolution shall remain in full force and effect; 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 hereby authorized to take such action and execute such documents as may be necessary and proper to effectuate the purposes hereof.

Original Amount: \$163,323  
 This Amendment: -\$ 594  
 New Total: \$162,729

Account to be charged/credited:

	FUND	DEPT	Major Program, Program & Phase, Or Unit	Object/ Sub- Object	Trust Account	Dollars
2019	101	22	8900	5650		-\$594
2020	101	22	8900	5650		

**Budget Funding Year(s):** 2019-2020      **Start Date:** 06/08/2019      **End Date:** 06/07/2020  
 (must match resolution)

**Funding Source:** Tax Dollars: 100%  
 -\$ 594      State Aid:  
 (must match resolution)      Federal Aid:

APPROVED BOARD OF ACQUISITION & CONTRACT 05/28/2020 - IGA MARIJAJ, SECRETARY