

George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

77915

DATE: July 10, 2020

TO: Board of Acquisition and Contract

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

SUBJECT: Resolution authorizing the County of Westchester ("County") to amend an agreement with the **Children's Village, Inc.** for the provision of PINS Pre-dispositional Placement and related support services for pre-disposition PINS youth at its residential care facility in Dobbs Ferry for the period from January 1, 2020 through August 31, 2020 payable at an agreed upon per-diem rate for each youth placed at their facility, not-to-exceed the aggregate sum of \$43,204, by 1) extending the term thereof through February 28, 2021; and 2) increasing the not-to-exceed amount authorized thereunder by an additional \$32,490 to a new amount not-to-exceed \$75,694.

By resolution approved on March 19, 2020, your Honorable Board authorized the County, acting by and through its Department of Social Services ("DSS"), to enter into an agreement with the Children's Village, Inc. ("Children's Village"), pursuant to which the Children's Village would provide PINS Pre-dispositional Placement and related support services for pre-disposition PINS youth at its residential care facility in Dobbs Ferry, for the period from January 1, 2020 through August 31, 2020 for a total amount not-to-exceed \$43,204, payable at an agreed upon hard to place per-diem rate of \$691.12 per day, per child and a Therapeutic Foster Board Home (TFBH) per diem rate of \$115.76 per day, per child (the "Agreement"). The Agreement was subsequently executed.

Due to a Departmental policy change as to when DSS will request a warrant on a youth known to us, it has become necessary to extend the term of the Agreement for an additional six (6) months, from September 1, 2020 through February 28, 2021 and to increase the not-to-exceed amount authorized thereunder by an additional \$32,490, from an amount not-to-exceed \$43,204 to a new amount not-to-exceed of \$75,694, to pay for said additional services. Accordingly, authority is requested to amend the Agreement with the Children's Village for the

provision of PINS Pre-dispositional Placement and related support services for pre-disposition PINS youth at its residential care facility in Dobbs Ferry for the period from January 1, 2020 through August 31, 2020, payable at an agreed upon per-diem rate for each youth placed at their facility, not-to-exceed the aggregate sum of \$43,204, by 1) extending the term thereof through February 28, 2021; and 2) increasing the not-to-exceed amount authorized thereunder by an additional \$32,490 to a new amount not-to-exceed \$75,694.

Except as otherwise specifically amended hereby, all remaining terms and conditions of the Agreement with the Children's Village shall remain in full force and effect.

The **public purpose** of the program is to adhere to the new legislation that requires Local DSS to have contracts with Foster Care settings to provide shelter for PINS youth that are ordered into a Pre-Dispositional Placement.

The **goals and objectives** of the program are to provide a safe time limited placement, in a foster care setting for PINS youth who are unable to return home or present a substantial risk of not returning to their next court appearance.

The goals and objectives of this program are in **the best interest of the County in terms of public health, safety and the environment** as they are aimed at providing a safe but not a locked facility for PINS youth in between court appearances.

The goals and objectives are in **the best interest of the County in terms of fiscal responsibility** as the program is designed to adhere to the current legislation which states that the Local DSS is responsible for providing these services.

The **goals and objectives will be tracked and monitored** using the performance measurement indicators developed by DSS. They include submission of monthly and quarterly reports. In addition, monitoring is also done in the form of direct contact with the DSS's staff in order to swiftly address any impediments to the successful execution of the goals and objectives as detailed in the contract.

This contract is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) (xviii) as the proposed agreement is for the purpose of youth service projects and other appropriate programs aimed at preventing youth crimes and advancing the moral, social and mental well-being of the youth in Westchester County.

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 being used for this program.

Accordingly, the County of Westchester is hereby requesting permission to amend the Agreement with the Children's Village for the above said purpose.

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

KMM/BG/jpg
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/23/2020 - LISA MRIJAJ, SECRETARY

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 amend an agreement with the Children’s Village, Inc. (the “Agreement”) pursuant to which the Children’s Village, Inc. agreed to provide PINS Pre-dispositional Placement and related support services for pre-disposition PINS youth at its residential care facility in Dobbs Ferry, for the period from January 1, 2020 through August 31, 2020, payable at an agreed upon per-diem rate for each youth placed at their facility, not-to-exceed the aggregate sum of \$43,204, by 1) extending the term of the Agreement through February 28, 2021; and 2) increasing the not-to-exceed amount authorized thereunder by an additional \$32,490 to a new amount not-to-exceed \$75,694; and be it further

RESOLVED, that except as otherwise specifically amended hereby, all remaining terms and conditions of the Agreement with the Children’s Village shall remain in full force and effect.

RESOLVED, that this contract is subject to County appropriations; 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 duly authorized designee is empowered to execute any document necessary to implement this Resolution.

Original Amount: \$ 43,204
 This Amendment: + \$ 32,490
 New Total: \$ 75,694

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	22	8900	5880	_____	\$32,490

Budget Funding Year(s): 2020 Start Date: 01/01/2020 End Date: 02/28/2021
 (must match resolution)

Funding Source

Tax Dollars: 100%

State Aid: 0%

\$32,490
 (must match resolution)

Federal Aid: 0%

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION - LISA MRIJAJ, SECRETARY