



Geroge Latimier
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

78538

DATE: August 7, 2020

TO: Honorable Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner

SUBJECT: Authority to amend an agreement with the Sharing Community, Inc. to operate a shelter located at 1 Hudson Street for homeless single males for the period January 1, 2018 through June 30, 2019, in order to increase the amount of the Agreement by \$71,976, thereby increasing the total amount of the agreement from \$2,120,913 to a new total not to exceed amount of \$2,192,889, payable pursuant to an approved budget.

By resolution adopted on February 1, 2018, your Honorable Board authorized the County to enter into an agreement with the Sharing Community, Inc. to operate a shelter located at 1 Hudson Street for homeless single males and to provide additional space, at the same location, to accommodate any overflow homeless drop-in population from the 101 North Broadway location of the Sharing Community Homeless Shelter (the "Agreement") for the period January 1, 2018 through June 30, 2018 in an amount not to exceed \$567,392, payable pursuant to an approved budget. The Agreement was subsequently executed.

By resolution adopted on March 22, 2018, your Honorable Board authorized the County to amend the Agreement to increase the amount of the Agreement by \$61,528 to cover personnel costs as approved in the budget, thereby increasing the Agreement to a new total not to exceed amount of \$628,920. The First Amendment Agreement was subsequently executed.

By resolution adopted on May 31, 2018, your Honorable Board authorized the County to amend the Agreement to extend the term for an additional six months through December 31, 2018 at an additional cost not to exceed \$1,091,993, thereby increasing the total

amount of the Agreement to a new total not to exceed amount of \$1,720,913. The Second Amendment Agreement was subsequently executed.

By resolution adopted on January 17, 2019, your Honorable Board authorized the County to amend the Agreement to extend the term for an additional six months through June 30, 2019 at an additional cost not to exceed \$400,000, thereby increasing the total amount of the Agreement to a new total not to exceed amount of \$2,120,913. The Third Amendment Agreement was subsequently executed.

Authority is now requested to amend the Agreement in order to increase the amount of the agreement by \$71,976 thereby increasing the total amount of the Agreement from \$2,120,913 to a new total not to exceed amount of \$2,192,889, payable pursuant to an approved budget. This amendment is needed as a result of unexpected expenses incurred during the closure of the 1 Hudson Street Shelter.

The **public purpose** of the proposed amendment is to reimburse the Sharing Community, Inc. for necessary expenses that it incurred during the closure of the shelter.

The proposed amendment will be tracked and monitored through performance measurement indicators developed by the Department. The tracking and monitoring include the submission of monthly statistics and quarterly reports as well as through direct contact with the Department staff in order to evaluate the performance of the vendor and the effectiveness of the program.

This agreement is exempt from the requirements of the Westchester County Procurement Policy pursuant to Section 3(a)(xiv) thereof.

Except as specifically amended hereby, all other terms and conditions of the agreement shall remain in full force and effect.

Your approval of the attached resolution to is respectfully requested.

KMM/DI

RESOLUTION

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

RESOLVED, that the County of Westchester, is hereby authorized to further amend the agreement with the Sharing Community, Inc., as amended, to operate a shelter located at 1 Hudson Street for homeless single males and to provide additional space, at the same location, to accommodate any overflow homeless drop-in population from the 101 North Broadway location of the Sharing Community for the period from January 1, 2018 through June 30, 2019 in an amount not to exceed \$2,120,913 (the "Agreement"), to increase the not to exceed amount of the agreement by \$71,976 thereby increasing the total amount of the Agreement from \$2,120,913 to a new total not to exceed amount of \$2,192,889, payable pursuant to an approved budget; and be it further

RESOLVED, that except as amended hereby, all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that this Agreement 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 all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his authorized designee is empowered to execute any and all documents necessary to implement this resolution.

Original Agreement: \$ 567,392
First Amendment: 61,528
Second Amendment: 1,091,993
Third Amendment: 400,000
Fourth Amendment: 71,976
Total: \$2,192,889

Account to be Charged/Credited

| | Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub-Object | Trust Account | Dollars |
|------|------|------|--|--------------------|---------------|----------|
| 2020 | 101 | 22 | 8900 | 5860 | ----- | \$71,976 |
| | | | | | ----- | |

Budget Funding Year(s): 2020 **Start Date:** 1/1/19 **End Date:** 6/30/19
 (must match Resolution)

Funding Source **Tax Dollars:** 71%
 State Aid: 29%
\$71,976 **Federal Aid:**
 (must match resolution) **Other:**

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/27/2020 - LISA MRIJAJ, SECRETARY