

George Latimer  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

**79119**

DATE: August 31, 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 **Yonkers Residential Center, Inc.** for the provision of PINS Pre-dispositional Placement and related support services for pre-disposition PINS youth at its residential care facilities in Yonkers, by extending the term thereof through February 28, 2021 and increasing the not-to-exceed amount thereunder by an additional \$33,683.40.

By resolution approved on March 19, 2020, your Honorable Board authorized the County, acting by and through its Department of Social Services (“Department”), to enter into an agreement with the Yonkers Residential Center, Inc. (“YRC”), pursuant to which YRC would provide PINS Pre-dispositional Placement and related support services for pre-disposition PINS youth at its residential care facilities in Yonkers, for the period from January 1, 2020 through August 31, 2020 for a total amount not-to-exceed \$45,902, payable monthly pursuant to an established per diem rate of \$313.71 per day, per child placed at the Phillipse Place Group Home and \$275.20 per day, per child placed at the 100 North Broadway residence (the “Agreement”). The Agreement was subsequently executed.

The parties now desire to amend the Agreement in order to extend the term thereof through February 28, 2021 and increase the not-to-exceed amount thereunder by an additional \$33,683.40. Accordingly, authority is requested for the County to amend the Agreement with YRC for the provision of PINS Pre-dispositional Placement and related support services for pre-disposition PINS youth at its residential care facilities in Yonkers, for the period from January 1, 2020 through August 31, 2020 for a total amount not-to-exceed \$45,902, payable monthly pursuant to established per diem rates, by extending the term thereof through February 28, 2021 and by increasing the total amount not-to-exceed thereunder by an additional \$33,683.40, from an amount not-to-exceed \$45,902.00, to a new amount not-to-exceed \$79,585.40.

Except as specifically amended hereby, all remaining terms and conditions of the Agreement will remain in full force and effect upon the parties.

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 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 the Department. They include submission of monthly and quarterly reports. In addition, monitoring is also done in the form of direct contact with the Department'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, an appropriate resolution is attached for your Honorable Board's approval.

KMM/BG/jpg  
Attachment

## RESOLUTION

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

**RESOLVED**, that the County of Westchester ("County") is hereby authorized to amend an agreement with **Yonkers Residential Center, Inc.** ("YRC") for the provision of PINS Pre-dispositional Placement and related support services for pre-disposition PINS youth at its residential care facilities in Yonkers, for the period from January 1, 2020 through August 31, 2020 for an amount not-to-exceed \$45,902, payable at established per diem rates (the "Agreement"), by extending the term thereof through February 21, 2021 and by increasing the total amount not-to-exceed thereunder by an additional \$33,683.40, from an amount not-to-exceed \$45,902, to a new amount not-to-exceed \$79,585.40; and be it further

**RESOLVED**, that except as specifically amended hereby, all remaining terms and conditions of the Agreement will remain in full force and effect upon the parties; and be it further

**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: \$ 45,902.00  
 This Amendment: +\$ 33,683.40  
 New Total: \$ 79,585.40

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	22	8900	5880	_____	\$33,683.40

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

Funding Source

\$33,683.40  
 (must match resolution)

Tax Dollars: 100%  
 State Aid: 0%  
 Federal Aid: 0%  
 Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/01/2020 - LISA MRIJAJ, SECRETARY