

March 25, 2010

TO: The Board of Acquisition and Contract

FROM: Marlene E. Furtick, Executive Director  
Westchester County Youth Bureau

RE: Authority to enter into an assignment agreement with the Mental Health Association of Westchester, Inc. ("MHA") and the Fund for the City of New York ("FCNY") for the assignment by MHA to FCNY of its agreement with the County for the operation of the Educational Advocate program for the remainder of the contract term and to increase funding in an additional amount of \$18,186.

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By resolution approved on April 8, 2009, your Honorable Board authorized the County of Westchester (the "County"), through its Youth Bureau (the "Youth Bureau"), to enter into an agreement with the Mental Health Association of Westchester, Inc. to operate the Educational Advocate Program (the "Program") for the program period January 1, 2009 through December 31, 2011 in a total amount not to exceed \$204,000, pursuant to an approved budget (the "Agreement"). The Agreement was subsequently executed.

MHA has informed the Youth Bureau that it can no longer operate the Program as they feel that they can't offer the supervision that is needed for this program. After learning about the possibility of the program being discontinued Judge Kathie Davidson of Westchester County Family Court suggested that the Fund for the City of New York, Inc. be contacted and asked to be the lead agency for this program, as they have a division which is the Center for Court Innovation. The Center for Court Innovation provides hands-on, expert assistance to reformers—judges, attorneys, criminal justice officials, and community organizations and this would be an ideal collaboration.

In order for FCNY to accept the assignment, additional funding was requested to cover fringe benefits for the two educational advocates. The Youth Bureau agrees with this and will provide an additional \$9,093 per year. Thus the new agreement amount would be \$222,186, payable as follows \$68,000 for 2009 (paid), an amount not to exceed \$77,093 for 2010 and an amount not to exceed \$77,093 for 2011.

Accordingly, the attached resolution, if approved by your Honorable Board, would authorize the County, through the Youth Bureau, to enter into an assignment agreement (the "Assignment Agreement") with MHA and FCNY, for the assignment by MHA to FCNY of its Agreement with the County for the operation of the Educational Advocates program for the remainder of the contract term and to increase the funding amount by an additional amount of \$18,186, from \$204,000 to the new amount not to exceed \$222,186. The amount not to exceed per year would be \$68,000 in 2009, \$77,093 in 2010 and \$77,093 in 2011, effective upon execution of the Assignment Agreement by all parties and approval of same by the Office of the Westchester County Attorney. The Assignment will be effective January 1, 2010.

The goals and objectives of this agreement are as follows:

- Of the 60 youth receiving education advocacy services, 48 will improve school attendance as measured by report cards, progress reports, and teacher's records.

- Of the 60 youth served by an educational advocate, 45 will be appropriately classified and placed with academically sound and needs-based programming to serve their individual educational entitlements as measured by successful completion of academic goals as per their Individual Education Plans.
- Of the 60 youth served by an educational advocate, 40 families will effectively advocate for their children as measured by parental attendance and participation in Committee on Special Education meetings.

The proposed Agreement is in the best interest of the County in terms of public safety because it provides these youth with the support they need to avoid high risk behaviors including gang involvement, substance and criminal behavior due to lack of educational skills. If this resolution was not approved, the tax payer would be faced with increased costs to address possible gang involvement, substance abuse and criminal behavior.

The program has successfully met all goals and objectives, reaching more youth than required by the contract. Each of the goals and objectives as stated above were tracked and monitored through monthly, quarterly and annual reports, Report Cards and by bi-yearly site visits from the Youth Bureau Program Monitor. Various 2009 reports are attached for your review.

This Agreement is exempt from the Westchester County Procurement Policy pursuant to section 3(a)xviii thereof.

In light of the above, I most respectfully request that your Honorable Board authorize the County to enter into the aforementioned Assignment Agreement.

APPROVED BOARD OF ACQUISITION & CONTRACT - 4-8-2010 JOMARY WEIRA, SECRETARY

## RESOLUTION

Upon a communication from the Executive Director of the Westchester County Youth Bureau, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to enter into an assignment agreement (the "Assignment Agreement") with the Mental Health Association of Westchester, Inc. ("MHA") and the Fund for the City of New York ("FCNY"), for the assignment by MHA to FCNY of its agreement with the County for the operation of the Educational Advocates Program for the period from January 1, 2009 through December 31, 2011, for the balance of the contract term, effective January 1, 2010; and be it further

**RESOLVED**, that County is hereby authorized to amend the original contract amount by \$18,186, from the originally approved amount of \$204,000 to the new aggregate not to exceed amount of \$222,186; and be it further resolved that the new amount's not to exceed per year are \$68,000 in 2009, \$77,093 in 2010 and \$77,093 in 2011.

**RESOLVED**, that the County Executive or his duly authorized designee, is authorized and empowered to execute and deliver all instruments and to take all actions necessary or appropriate to accomplish the purposes of this resolution.

Account to be charged/credited	Fund	Dept. code	Unit #	Object/ Sub Object	Trust Account	Dollars
<u>Invest in Kids 2009</u>	101	52	2081	5100		\$68,000
<u>Invest in Kids 2010</u>	101	52	2081	5100		\$77,093
<u>Invest in Kids 2011</u>	101	52	2081	5100		\$77,093

Budget Funding Year(s) 2009-11 Start Date January 1, 2009 End Date December 31, 2011  
(must match resolution)

2009 Funding Source Tax Dollars \$68,000  
\$ 68,000 Other \$0 (provided by the agency)  
 (must match resolution)

2010 Funding Source Tax Dollars \$77,093  
\$ 77,093 Other \$0 (provided by the agency)  
 (must match resolution)

2011 Funding Source Tax Dollars \$77,093  
\$ 77,093 Other \$0 (provided by the agency)  
 (must match resolution)