



George Latimer  
County Executive

Department of Social Services

Leonard G. Townes  
Commissioner

**85902**

To: Board of Acquisition and Contract

From: Leonard G. Townes  
Commissioner of Social Services

Date: June 21, 2021

Re: **Authority for the County of Westchester to amend an agreement with The Mental Health Association of Westchester County, Inc., to exercise the third of the County's four options to extend the term of such agreement, in order to continue to provide supportive services to twenty-six (26) HUD Rental Assistance Units for homeless individuals who are diagnosed with mental illness, substance abuse, or other disabling health conditions, for the period August 1, 2021 and terminating on July 31, 2022.**

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By resolution approved on September 27, 2018 (the "2018 Resolution") your Honorable Board authorized the County of Westchester ("County"), acting by and through its Department of Social Services (the "Department"), among other things, to enter into an agreement (the "Agreement") with The Mental Health Association of Westchester County, Inc. ("MHA"), to provide supportive services for twenty-six (26) HUD Rental Assistance Units for homeless individuals in an amount not to exceed \$169,877, payable pursuant to an approved budget, for an initial term commencing on August 1, 2018 and terminating on July 31, 2019 ("Initial Term").

The 2018 Resolution also stipulated that the County, in its sole discretion, could extend the term of the Agreement for up to four (4) additional one (1) year periods, at the following rates and upon the same terms and conditions as the Initial Term:

Option Year 1 (08/01/2019-07/31/2020): \$172,645

Option Year 2 (08/01/2020-07/31/2021): \$173,835  
Option Year 3 (08/01/2021-07/31/2022): \$177,231  
Option Year 4 (08/01/2022-07/31/2023): \$179,353

By resolution approved on November 14, 2019, your Honorable Board authorized the County of Westchester, acting by and through its Department of Social Services, to amend the Agreement with MHA in order to extend the term of the Agreement for the first of the four one-year periods, commencing on August 1, 2019 and terminating on July 31, 2020 (the "First Option Term") for an amount not to exceed \$172,645.00 (the "First Amendment"), as set forth in the Agreement. The First Amendment was subsequently executed.

By resolution approved on July 30, 2020, your Honorable Board authorized the County of Westchester, acting by and through its Department of Social Services, to amend the Agreement with MHA in order to extend the term of the Agreement for the second of the four one-year periods, commencing on August 1, 2020 and terminating on July 31, 2021 (the "Second Option Term") for an amount not to exceed \$173,835.00 (the "Second Amendment"), as set forth in the Agreement. The Second Amendment was subsequently executed.

The County now seeks the authority of your Honorable Board to amend the Agreement with MHA in order to extend the term of the Agreement for the third of the four one-year periods, commencing on August 1, 2021 and terminating on July 31, 2022 (the "Third Option Term") for an amount not to exceed \$177,231.00 (the "Third Amendment"), as set forth in the Agreement.

Except as specifically amended herein, all other terms and conditions set forth in the Agreement would remain in full force and effect.

The **public purpose** of the proposed *Third Amendment* is to provide continuous supportive housing services to stabilize individuals at risk of homelessness and avoid cost of shelter placement.

The **goals and objectives** of the proposed *Third Amendment* are to provide supportive services for the homeless and for individuals diagnosed with mental illness, substance abuse or other disabling health condition and enable them to remain off public assistance as they continue to move toward self-sufficiency.

The goals and objectives promote the **public health and safety** because the *Third Amendment* will assist the targeted population with maintaining housing enabling them to live in a safe environment which will reduce their risk of becoming victims of crime and of having negative health consequences.

The **goals and objectives will be tracked and monitored** by the Department to evaluate services using the performance measurement indicators which include reviewing monthly statistics and quarterly reports as well as through direct contact with the Department staff in order to evaluate the performance of the vendors and the effectiveness of the program.

The proposed *Third Amendment* is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xvii thereof.

Accordingly, a resolution requesting authority to enter into the *Third Amendment* is annexed hereto, which I recommend for your favorable consideration.

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/15/2021 - 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 enter into a third amendment (“Third Amendment”) to the agreement (the “Agreement”) with The Mental Health Association of Westchester County, Inc. (“MHA”), to exercise the third of the County’s four options to extend the term of the Agreement (“Third Option Term”), in order to continue to provide support services for twenty-six (26) HUD Rental Assistance Units for homeless individuals, for an amount not to exceed \$177,231, bringing the not to exceed amount under the Agreement, as amended by the Third Amendment to a total aggregate amount not to exceed \$693,588; and be it further

**RESOLVED,** that the Third Option Term shall commence August 1, 2021 and terminate on July 31, 2022; and be it further

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

**RESOLVED,** that the Agreement, as amended by the *Third Amendment*, is subject to County appropriation; and be it further

**RESOLVED,** that the Agreement, as amended by the *Third Amendment*, is also subject to further financial analysis of the impact of any New York State Budget (“State Budget”) proposed and adopted during the term of the Agreements. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State budget and/or 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 impact of any such budget(s) on County finances. After such analysis, the County shall retain the right to either terminate the 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 the Agreement upon reasonable prior written notice; and be it further

**RESOLVED,** that the County Executive or his duly authorized designee be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Initial Agreement: \$169,877  
 First Option Amendment: 172,645  
 Second Option Amendment: 173,835  
**Third Option Amendment: 177,231**  
 TOTAL \$693,588

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2021	101	22	8900	5860		\$73,846
2022	101	22	8900	5860		\$103,385

Budget Funding Year(s): 2021-2022 Start Date: 08/01/2021 End Date: 07/31/2022  
 (must match resolution)

Funding Source Tax Dollars: 71 %  
 State Aid: 29 %  
\$177,231 Federal Aid: 0 %  
 (must match resolution) Other: N/A

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/15/2021 - LISA MRIJAJ, SECRETARY