

Robert P. Astorino  
County Executive

Department of Probation

Rocco A. Pozzi  
Commissioner

9184

April 19, 2010

TO: Honorable Members  
Board of Acquisition and Contract

FROM: Rocco A. Pozzi  
Commissioner of Probation

Kevin Cheverko  
Acting Commissioner of Correction

**RE: Authority to enter into a Curriculum License Agreement with National Curriculum Training Institute, Inc. to allow the Departments of Probation and Correction the ability to copy NCTI Cognitive Life Skills Program materials for a one-year period commencing June 1, 2010 and ending May 31, 2011 at a cost not to exceed \$25,000.**

Authority is hereby sought from your Honorable Board to enter into a Curriculum License Agreement with National Curriculum Training Institute Inc. ("NCTI"), to allow the Departments of Probation and Correction (the "Departments") the ability to copy NCTI Cognitive Life Skills Program ("CLSP") materials.

NCTI is a leader in the field of cognitive behavior change programs for offenders. Both Departments have utilized NCTI CLSP materials for many years. The goals of the CLSP groups are to improve offender decision making and interpersonal skills which enable participants to work better in their environment and handle conflict more constructively. This past year 100 CLSP groups were run with an average size of 5 to 10 people per group.

With the curriculum license, the Departments will receive "make ready originals" of the curriculum for the Cognitive Life Skills program. These "make ready originals" are designed to be copied as needed which provide both Departments with a flexible and cost effective alternative to implement the programs. The advantages are as follows:

Administrative Office

- Personnel do not have to carry and store pre-printed workbooks
- Waste is minimized when clients join or leave the program in mid-stream, which can result in portions of a workbook being unused
- Money is saved on shipping charges, since copying is done on site
- The Departments can readily make program components available to clients, resulting in greater participation
- Any updates to the curriculum do not result in outdated inventories

The Probation and Correction departments will track the number of CLSP groups during the period of the contract to demonstrate the significant role that CLSP groups play in supervising offenders and to give an idea of how many sets of CLSP materials are used.

The license agreement serves several public purposes. It saves taxpayer dollars by substituting the ability to reproduce materials onsite for the purchasing and shipping of professionally printed booklets and materials. The agreement also prevents paper waste since specific sections of the programs can be selected for use as opposed to having to acquire an entire pack of materials. Most importantly, Westchester County residents will be safer as a result of employing CLSP programs, as research has proven that cognitive behavioral programming has a demonstrated record of effectiveness in reducing recidivism.

If this resolution were not approved by your Honorable Board, the offenders supervised or institutionalized by these departments would be more likely to continue to make poor decisions and, therefore, increase the risk of recidivism. Without life skills education many offenders' lives would be unchanged. This would affect his/her ability to find and retain employment, achieve academic success, and engage in positive relationships. With respect to the licensing aspect of the agreement, if this resolution does not go into effect the Correction and Probation departments would need to purchase materials published by the vendor at higher expense with greater potential for paper waste.

The period of this license agreement will be for one year commencing June 1, 2010, and ending May 31, 2011, at a cost not to exceed \$25,000. The cost of the Curriculum License Agreement will be divided evenly between the Department of Probation and the Department of Correction with each encumbering a sum of \$12,500. Sufficient funds for this agreement were included in the County's 2010 budget.

It should be noted that this license is exempt from the County's Procurement Policy pursuant to Section 3(b) therein. A proposed resolution to authorize this agreement is annexed hereto, and I recommend its approval.

RAP/DM

**RESOLUTION**

Upon a communication from the Commissioner of Probation, and the Acting Commissioner of Correction, be it hereby

**RESOLVED**, that the County of Westchester is authorized to enter into a Curriculum License Agreement with National Curriculum Training Institute, Inc. (NCTI) to allow the Departments of Probation and Correction the ability to copy NCTI Cognitive Life Skills Program materials, giving them a flexible and cost effective alternative to implement these programs for a one-year period commencing June 1, 2010 and ending May 31, 2011 at a cost not to exceed \$25,000; 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 reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impact 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 this Agreement is subject to County Appropriations; and be it further

**RESOLVED**, that the County Executive or his duly appointed designee is hereby authorized to execute such documents and take such actions necessary and appropriate to affect the purpose hereof.

**Account to be Charged/Credited**

Fund	Dept.	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
101	39	1000	4380		\$12,500
101	35	1000	4380		\$12,500

Budget Funding Year(s) 2010, 2011 Start Date June 1, 2010 End Date May 31, 2011  
(Must match resolution)

Funding Source Tax Dollars \$25,000  
State Aid \_\_\_\_\_  
\$25,000 Federal Aid \_\_\_\_\_  
(Must match resolution) Other \_\_\_\_\_