

Robert P. Astorino  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

19936

**DATE:** June 23, 2011

**TO:** The Honorable Board of Acquisition and Contract

**FROM:** Kevin M. McGuire  
Commissioner of Social Services

**RE:** Authority for the County of Westchester, acting by and through its Department of Social Services, to amend an agreement with Family Services of Westchester, Inc. for the operation of the After Care from Foster Care Tier I & Tier II Program, that provides after care case management, support and services to foster care families in a two "Tier" design for the period March 1, 2010 through February 28, 2013 in an amount not to exceed \$1,419,535 by increasing the not to exceed amount by \$114,823 to a new not to exceed amount of \$1,534,358 to be paid pursuant to an approved budget and subject to appropriations

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Following the completion of an RFP process and pursuant to a resolution approved on July 27, 2006, the County of Westchester, acting by and through its Department of Social Services, entered into an agreement (the "Agreement") with Family Services of Westchester, Inc. (FSW) for the provision of a community based, culturally competent, family focused After Care from Foster Care Tier I & Tier II Program providing after care case management, supports and services to foster care families in a two "Tier" design for the period March 1, 2006 through February 28, 2007 in an amount not to exceed \$310,986 with the County having the option to extend the agreement for two (2) subsequent three-year periods at amounts to be negotiated. Tier I is for up to one year post discharge and Tier II is beyond one year post discharge as assessed to prevent return to care. This Agreement was subsequently executed.

Through the resolution approved on May 10, 2007, your Honorable Board authorized the County of Westchester to exercise its first option to extend the Agreement ("First Extension Agreement") for an additional three-year period commencing on March 1, 2007 and ending on February 28, 2010 for an amount not to exceed \$1,472,175. This First Extension Agreement was subsequently executed.

Through the resolution approved on March 4, 2010, your Honorable Board authorized the County of Westchester, acting by and through its Department of Social Services, to exercise its second and final three-year option to extend the Agreement ("Second Extension Agreement") for

the period from March 1, 2010 through February 28, 2013 in an amount not to exceed \$1,419,535 to be paid monthly pursuant to an approved budget and subject to appropriations. The resolution was approved at \$1,474,735; however the contract was executed at the lower not to exceed amount of \$1,419,535. This Second Extension agreement was subsequently executed.

Authority is now requested for the County of Westchester, acting by and through its Department of Social Services to amend the above said agreement by increasing the not exceed amount by \$114,823 to a new total not to exceed amount of \$1,534,358 to be paid pursuant to an approved budget and subject to appropriation. This amendment is being requested to make use of budgeted Chafee funding to provide services to 25 additional youth being discharged to independent living program. The Chafee Foster Care Independence Act of 1999 (P.L. 106-169) established the Chafee Foster Care Independence Program. The Chafee legislation increases Federal funding for independent living services and directs that States provide services to youth who leave foster care because they attain 18 years of age. This funding is to be used to provide independent living life skills and related supports services. This funding will be used to provide services only from July 1, 2011 through the end of the current contract period.

The services to be provided through this contract serve a **public purpose** in that it preserves the family and reduces the risk of re-entry into foster care, thus averting the need for foster care placement. Aftercare services assist the families in addressing the special needs of their children, as well as navigating community based services to address such needs. The support services provided pursuant to this program assist children who return from foster care to reintegrate back into the community and the school system, thereby promoting the safety and welfare of the targeted population.

The **goals and objectives** of this contract are to provide aftercare support services to families of children who are returning from the Westchester County foster care system. Children transitioning out of the foster care system are more likely to face an increased rate of poor educational achievement, unemployment, mental health issues, incarceration and homelessness. The Aftercare Program seeks to ensure that children successfully transition to their local school system and maintain academic improvement and find employment. The program addresses the health and safety needs of this population, provides drug and alcohol treatment and promotes the self sufficiency of these families.

The **goals and objectives are in the best interest of the County in terms of public health and safety** because the services provided through this contract help to maintain or restore family functioning and increase the stability of families, thereby reducing the risk of abuse, neglect and/or need for replacement in the foster care system. The program is designed to enhance the physical well being and safety of the children discharged from foster care. Further, it promotes the safety of the County residents as the program would prevent these children from getting involved in anti-social activities.

The **goals and objectives are in the best interest of the County in terms of fiscal responsibility** in that the Department will be able to avert the need for foster care replacements and the costs associated with such placements. Preventing children from re-entering the foster care system can result in substantial savings for the County and the taxpayers.

- **Family Foster Care cost annualized per child** - The cost of foster care in a family foster setting can range from \$17.10 to \$58.65 per day per child depending on the age and level of care provided; that can translate into an annualized foster care cost from \$6,241.50 to \$21,407.25 per child per year.
- **Residential Foster Care cost annualized per child** - The cost of Residential Foster Care costs can range from \$50.22 up to \$562.00 per day per child. That translates into an annualized cost for residential care from \$18,330 to \$205,130 per child per year.
- **Contract program cost per child**— The estimated cost of the Aftercare Program operated through Family Services of Westchester, Inc. is \$1,534,358 for 3 years. The Vendor is expected to serve approximately 335 children over the 3 years which translates into a per child cost of \$4,580.17.

The **goals and objectives as stated in the resolution will be tracked and monitored** to evaluate success using the performance measurement indicators developed by the Department and approved by the County Budget Office. They include, but are not limited to, reviewing of periodic reports submitted by the vendor and making onsite visits.

Based on the **Performance Measurement Indicators** reported as March, 2010 through May 2011, the Department is able to report that the vendor has met the targets as stipulated by the contract. Over this period of the contract FSW has served over 78% of the contract capacity. Over this same period, FSW Aftercare Program has averted 94.05 % foster care replacements and 95.83% of children did not become the subject of an indicated CPS case while receiving services.

Except as specifically modified herein, all other terms and conditions of the original agreement as extended shall remain in full force and effect.

Accordingly, authority is now requested for the County of Westchester, acting by and through its Department of Social Services, to amend an agreement with Family Services of Westchester, Inc. for the above said purpose.

Approval of the attached resolution by your Honorable Board is respectfully requested.

## RESOLUTION

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

**RESOLVED**, that the County of Westchester, acting by and through its Department of Social Services, is hereby authorized to amend an agreement with Family Services of Westchester, Inc. whereby Family Services of Westchester, Inc. will operate a community based, culturally competent, family focused After Care from Foster Care Tier I & Tier II Program providing after care case management, support and services to foster care families in a two "Tier" design for the period March 1, 2010 through February 28, 2013 in an amount not to exceed \$1,419,535, by increasing the not to exceed amount by \$114,823 to a new total not to exceed amount of \$1,534,358 to be paid pursuant to an approved budget; and be it further

**RESOLVED**, that additional funding in the amount of \$114,823, which is part of the Chafee funding, will be used to provide services to 25 additional youth being discharged to independent living program starting from July 1, 2011 through the end of the current contract period; and be it further

**RESOLVED**, that the 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 except as specifically modified herein, all other terms and conditions of the original agreement as extended shall remain in full force and effect; and be it further

**RESOLVED**, that the County Executive or his authorized designee is authorized to execute all documents necessary to effectuate the purposes of this resolution.

|                           |                   |
|---------------------------|-------------------|
| Original Contract Amount: | \$1,419,535       |
| <b>This Amendment</b>     | <b>\$ 114,823</b> |
| Total                     | \$1534, 358       |

Account to be  
Charged/Credited

|      | Fund | Dept | Major Program,<br>Program & Phase<br>Or Unit | Object/ Sub-<br>Object | Trust<br>Account | Dollars  |
|------|------|------|--|------------------------|------------------|----------|
| 2011 | 101  | 22   | 8900   | 5960                   | -----            | \$34,447 |
| 2012 | 101  | 22   | 8900   | 5960                   | -----            | \$68,894 |
| 2013 | 101  | 22   | 8900   | 5960                   | -----            | \$11,482 |

Budget Funding Year(s): 2010-13  
(must match resolution)

Start Date: N/A End Date: N/A

Funding Source

**\$114,823**  
(must match resolution)

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/28/2011 JOMARY VIEIRA, SECRETARY