



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

23598

DATE: December 9, 2011

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Kevin M. McGuire, Commissioner
Department of Social Services

SUBJECT: Authority to amend an agreement with Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP was to operate the Oasis Homeless Shelter Warming / Drop-in Site, in order to: 1) extend the termination date from December 31, 2011 to April 15, 2012; and 2) increase the not to exceed amount by \$155,646 from an amount not to exceed \$526,000 to a new total not to exceed \$681,646 to be paid pursuant to an approved budget and subject to appropriation

By a Resolution approved on April 28, 2011, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP was to operate the Oasis Homeless Shelter Warming / Drop-in Site for the period January 1, 2011 through June 30, 2011 for an amount not-to-exceed \$250,000 (the "Agreement"). The Agreement was subsequently executed.

By a Resolution approved on July 7, 2011 (the "July 7th Resolution"), your Honorable Board authorized the County to amend the Agreement by extending the termination date from June 30, 2011 to December 31, 2011 and by increasing the not to exceed amount by \$250,000, from an amount not to exceed \$250,000 to a new amount not to exceed \$500,000. By a Resolution approved on August 18, 2011, your Honorable Board authorized the County to amend the resolution that was approved on July 7, 2011 to further increase the not to exceed amount of the Agreement by \$26,000 from an increase of \$250,000 to an increase of \$276,000, making the new total not to exceed amount \$526,000. The Amendment was subsequently executed.

Authority is now requested for the County to further amend the agreement with Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP was to operate the Oasis Homeless Shelter Warming / Drop-in Site by: 1) extending the termination date from December 31, 2011 to April 15, 2012; and 2) increasing the not to exceed amount by \$155,646 from an amount not to exceed \$526,000 to a new total not to exceed \$681,646 to be paid pursuant to an approved budget and subject to appropriation. This requested increase is associated with the cost of providing services during the extended term. The Department is in the process of developing an RFP for the provision of services to operate a drop-in site. This extension is required for the continued service to the targeted population until a vendor is selected.

Except as specifically amended hereby, all other terms and conditions of the original as amended shall remain the same.

The proposed agreement will serve a **public purpose** by providing temporary shelter to homeless individuals in Westchester who would otherwise be outdoors and exposed to the elements for long periods of time.

The **goals and objectives** of the proposed agreement are to provide a drop-in / warming site for 20-25 homeless individuals per day, and up to 600-750 homeless individuals per month.

The goals and objectives of the proposed agreement are in the **best interests of the County in terms of health and environment** in that because providing temporary shelter to homeless individuals through a drop-in / warming site is important for ensuring the health of such individuals.

The goals and objectives of the proposed agreement will be tracked and monitored by the Department using the Performance Measurement Indicators developed by the Department and approved by the County Budget Office. They include, but are not limited to, the submission of monthly statistics and quarterly report as well as direct contact with DSS staff.

Accordingly, I most respectfully recommend approval of the attached Resolution.

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to amend an agreement with Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP was to operate the Oasis Homeless Shelter Warming / Drop-in Site, (the "Agreement") by: 1) increasing the not to exceed amount authorized thereunder by \$155,646 from an amount not to exceed \$526,000 to a new total not to exceed \$681,646 to be paid pursuant to an approved budget; and 2) by extending the termination date from December 31, 2011 to April 15, 2012; and be it further

RESOLVED, that this agreement is subject to County appropriation; 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 amended hereby, all other terms and conditions of the original agreement as previously amended shall remain the same; and be further

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

Amount of the Original Agreement:	\$250,000
First Amendment:	\$276,000
This Amendment:	<u>\$155,646</u>
Total:	<u>\$681,646</u>

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2012	101	22	8900	5860	-----	\$155,646

Budget Funding Year(s): 2012 Start Date: N/A End Date: 04/15/2012
(must match resolution)

Funding Source

\$155,646
(must match resolution)

Tax Dollars: 71%
State Aid: 29%
Federal Aid:
Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/19/2012 - JUDY WEIN, SECRETARY