

29326

September 12, 2012

TO: Honorable Members
Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner of Probation

RE: **RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO AMEND A GRANT AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES IN THE AMOUNT NOT TO EXCEED \$605,438 AND TO SUBCONTRACT, WITH THE LISTED AGENCIES, TO IMPLEMENT THE WESTCHESTER COUNTY ALTERNATIVES TO INCARCERATION SERVICE PLAN FOR THE PERIOD JANUARY 1, 2011 TO DECEMBER 31, 2011, IN ORDER TO EXTEND THE GRANT AGREEMENT AND THE SUBCONTRACTS THROUGH JUNE 30, 2012 AND TO INCREASE THE AMOUNT OF THE GRANT AGREEMENT BY \$302,938 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$908,376, AND INCREASE THE SUBCONTRACT AMOUNTS PURSUANT TO AN APPROVED BUDGET.**

Authority is sought for the County of Westchester to amend a grant agreement with the New York State Division of Criminal Justice Services in an amount not to exceed \$605,438 and subcontract, with the listed agencies, to implement the Westchester County Alternatives to incarceration Service Plan for the period January 1, 2011 to December 31, 2011, to extend the grant agreement and the subcontracts through June 30, 2012 and to increase the grant agreement by \$302,938 for a total not to exceed amount of \$908,376. Authority is further sought to amend the subcontracts with individual agencies to extend the contract term through June 30, 2012 and to increase the not to exceed contract amounts and the pro-rata County share for the term January 1, 2012 through June 30, 2012 as follows:

	<u>Orig. Amt.</u>	<u>Increase</u>	<u>Total</u>
Pre-Trial Services Institute of Westchester, Inc.			
Release on Recognizance ("ROR") Program	\$ 67,784	\$ 33,927	\$101,711
Bail Expediting Program	26,019	13,053	39,072
Monitored Release Program	19,865	10,005	29,870

	<u>Orig. Amt.</u>	<u>Increase</u>	<u>Total</u>
Department of Probation Community Service Program	\$ 62,088	\$ 31,044	\$ 93,132
St. John's Riverside Hospital, Phelps Memorial Hospital Center and Westchester County Probation Department Direct Treatment Alternative To Incarceration ("DTATI") Program	\$210,116	\$105,058	\$315,174
Department of Community Mental Health Treatment Alternatives for Safer Communities ("TASC")	\$173,292	\$ 86,713	\$260,005
Department of Correction Young Offender Program	\$ 46,274	\$ 23,138	<u>\$ 69,412</u>
			<u>\$908,376</u>

In 2011, the above Alternatives to Incarceration ("ATI") Programs successfully diverted over 6,000 offenders from incarceration. All ATI programs met and surpassed all goals and milestones for the year.

This contract impacts the County's critical priority areas in the following manner:

1. Fiscal Responsibility – The Alternative to Incarceration programs provide many services to Westchester County. These programs are primarily funded through New York State Division of Probation and Correctional Alternatives and in 2011 there was an estimated cost savings of over \$75 million to Westchester County.
2. Safety and Security - The contract with the New York State Division of Probation and Correctional Alternatives and the listed subcontract agencies promote public safety to the residents of Westchester by utilizing graduated sanctions for convicted offenders and providing intensive supervision and treatment.

The requirements of the Westchester County Procurement Policy have been followed. The grant agreement with the State of New York is not a procurement and therefore the Procurement Policy does not apply. The subcontracts are exempt from the Procurement Policy in accordance with the following:

Pre-Trial Services Institute of Westchester, Inc.-Section 3(a)xii, which provides for that "...procurements which involve expenditures of federal or state assistance where and to the extent that federal or state law, rules or regulations conflict with the provision of this policy" are exempt from the Policy. The County has an agreement in place with Pre-Trial Services Institute of Westchester, Inc. The state reimbursement provided to the County under the Alternatives To Incarceration Service Plan is contingent upon the existence of the aforementioned agreement and is a requirement of the grant.

St. John's Riverside Hospital and Phelps Memorial Hospital Center -Section 3(a)xvii which provides that the "...care, treatment, counseling...for the mentally ill...and those suffering from the disease of alcoholism or substance abuse" are exempt from the Policy.

These programs are intensely monitored by Westchester County's Criminal Justice Advisory Board. The Board meets on a quarterly basis to review and formally approve written Program Reports detailing milestones, activities and savings. Upon Board approval, these Quarterly Reports are transmitted to the State.

Wherefore, authority is respectfully sought for the County to enter into an agreement with the New York State Office of Probation and Correctional Alternatives, and, subsequently, enter into agreements with the above listed agencies.

RAP/DI
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/08/2012 - SOMARY, DEBRA SECRETARY

RESOLUTION

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

RESOLVED, that authority is hereby granted to the County of Westchester to enter into an agreement with the New York State Division of Criminal Justice Services to amend the grant agreement, in an amount not to exceed \$605,438 and subcontract with the listed agencies, to implement the Westchester County Alternatives to Incarceration Service Plan for the period January 1, 2011 to December 31, 2011 (the "Grant Agreement"), in order to extend the termination date of the Grant Agreement and subcontracts to June 30, 2012 and to increase the amount of the Grant Agreement by \$302,938 to a total amount not to exceed \$908,376, pursuant to an approved budget; and be it further

RESOLVED, that for the extended term of the Grant Agreement the amount of the County's share of the Grant and the not to exceed amounts of the Subcontracts shall be increased as follows:

	<u>Orig. Amt.</u>	<u>Increase</u>	<u>Total</u>
Pre-Trial Services Institute of Westchester, Inc.			
Release on Recognizance (ROR) Program	\$ 67,784	\$ 33,927	\$101,711
Bail Expediting Program	26,019	13,053	39,072
Monitored Release Program	19,865	10,005	29,870
Department of Probation Community Service Program	\$ 62,088	\$ 31,044	\$ 93,132
St. John's Riverside Hospital, Phelps Memorial Hospital Center and Westchester County Probation Department Direct Treatment Alternative To Incarceration (DTATI) Program	\$210,116	\$105,058	\$315,174
Department of Community Mental Health Treatment Alternatives for Safer Communities (TASC)	\$173,292	\$ 86,713	\$260,005
Department of Correction Young Offender Program	\$ 46,274	\$ 23,138	<u>\$ 69,412</u>
			\$908,376

;and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is

authorized and empowered to execute this agreement for the County of Westchester.

Original Agreement \$605,438
 This Amendment 302,938
 TOTAL \$908,376

Account to be
 Charged/Credited

Fund	Dept.	Major Program, Program & Phase or Unit	Revenue Object	Trust Account	Dollars
101	35	1000	9734		\$ 33,927
263	39	028L	9854	T028	\$ 13,053
263	39	029L	9854	T029	\$ 10,005
101	39	1000	9771		\$ 31,044
101	39	1000	9771		\$ 47,276
263	39	121L	9854	T121	\$ 38,872
263	39	122L	9854	T122	\$ 18,910
263	26	2000	9713		\$ 86,713
263	35	619L	9854	T619	\$ 23,138
263	39	028L	4380	T028	\$ 13,053
263	39	029L	4380	T029	\$ 10,005
263	39	121L	4380	T121	\$ 38,872
263	39	122L	4380	T122	\$ 18,910
263	35	619L	various	T619	\$ 23,138

Budget Funding Year(s) 2012 Start Date January 1, 2012 End Date June 30, 2012
 (must match resolution)

Tax Dollars: _____

Funding Source

State Aid: N.Y.S. Div. Criminal Justice Services — \$302,938

Federal Aid -0-

Other _____

\$302,938
 (must match resolution)