



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

31440

DATE: December 31, 2012

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner of Social Services

SUBJECT: Resolution authorizing the County of Westchester to enter into an Agreement with the New York State Office of Children and Family Services to receive a grant in the amount of \$889,450 to purchase registration activities for school-age care providers and registered family day care providers, and to conduct investigations, fingerprint child care providers and their employees and process complaints for the period January 1, 2013 through December 31, 2013 and also to enter into a separate Agreement with the Child Care Council of Westchester, Inc. for the same period to perform the aforementioned services in an amount not to exceed \$844,977 to be paid quarterly pursuant to an approved budget and subject to appropriations

We are requesting that authorization be given to the County of Westchester to enter into an Agreement with the New York State Office of Children and Family Services to receive a grant in the amount of \$889,450 which the County would utilize to purchase registration activities for school-age child care providers and registered family day care providers. The aforesaid grant amount will also be used to provide for the conducting of mandated investigations, fingerprinting of the child day care providers and their employees and the processing of complaints registered against child care providers. The term of this Agreement will be January 1, 2013 through December 31, 2013.

We are also requesting that authorization be given to the County of Westchester to enter into a separate Agreement with the Child Care Council of Westchester, Inc. to provide the above stated services and activities. The term of this Agreement with the Child Care Council of Westchester, Inc. will also be January 1, 2013 through December 31, 2013 for an amount not to exceed \$844,977, (\$44,473 will be deducted from \$889,450 for the

Department of Social Services' administrative fees) to be paid quarterly pursuant to an approved budget and subject to appropriation. Vouchers will be approved by the Spring Valley Regional Office and the Westchester County Department of Social Services.

Funding for these services is one hundred percent reimbursable through the Federal Child Care Development Fund. In addition, Westchester County takes 5% of the \$889,450 (\$44,473.00) for administrative fees as is allowed by the New York State Office of Children and Family Services. It should be noted that the budget for this program is the same as it has been for the last three years.

The MOU with New York State Office of Children and Family Services does not constitute procurement and as such, the Westchester County Procurement Policy does not apply.

The Child Care Council of Westchester, Inc. is the Child Care Resource and Referral agency for Westchester County pursuant to Title 5-B of the Social Services Law. The Child Care Council of Westchester, Inc. is a Westchester County based agency that is designed and staffed to conduct the required services. It is essential that the agency performing these services have an established relationship with the day care providers in this County and an established relationship with NYS OCFS. Child Care Council meets this requirement. They have been the provider of the requested services for a number of years. Their performance is monitored by the New York State Office of Children and Family Services and they are subject to fiscal sanctions should they not achieve state mandates. The Child Care Council has not received any sanctions as a result of major non-compliance with performance standards. In addition, the CCC has a long standing relationship with the providers. Their familiarity with the program and their knowledge of the child care provider community allow them to promptly address problems that arise. This knowledge also allows them to refer subsidy eligible parents/guardians to the most suitable providers, many of whom, due to state mandates, they have evaluated. A resolution requesting to exempt the proposed agreement with Child Care Council of Westchester, Inc. from the requirements of Westchester County Procurement Policy and Procedures pursuant to Section 3(a) xxi has been submitted separately (OnBase ID#31439) for your Honorable Board's approval.

The services to be provided pursuant to the proposed agreements will serve a **public purpose** in that the County will assist in making safe and affordable day care services available to low income families in the County of Westchester.

The goals and objectives are to provide safe, affordable child care to eligible families.

The goals and objectives are in the best interests of the County regarding Public Health and Safety in that they are aimed at ensuring the wellbeing of children placed with these providers. In order to promote safety, the providers and their employees are fingerprinted by the Child Care Council and they then undergo a criminal background check. The Council also investigates complaints and non-compliance allegations regarding providers.

Furthermore, **the goals and objectives are in the best interests of the County regarding fiscal interests** because the availability of safe and affordable child care eliminates child care as an impediment to employment for parents/guardians who meet financial and programmatic guidelines. Employment improves the economic situation of the targeted population and this in turn would help reduce the need for Public Assistance and other public entitlements.

The operation of the **program is overseen and monitored by New York State Office of Children and Family Services**. The Child Care Council is required to provide quarterly reports to the Office of Children and Family Services. In addition, the Child Care Council is subject to quarterly fiscal sanctions for deficits in meeting the following goals:

- processing and resolving initial registration applications within six months
- processing/initiating enforcement action prior to the lapse date,
- making determinations on the validity of complaints within sixty days
- conducting one quarter of the mandated inspections
- maintaining the staffing level

I certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d.) and will comply with all of the Grant Terms.

We respectfully request approval of the attached Resolution by your Honorable Board.

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to enter into an Agreement with the New York State Office of Children and Family Services to receive a Grant in the amount of \$889,450 which the County would utilize to purchase registration activities for school age care providers and registered family day care providers, to finger print child care providers and their employees and to conduct investigations and process complaints for the period January 1, 2013 through December 31, 2013; and be it further

RESOLVED, that the County of Westchester is hereby authorized to enter into a separate Agreement with the Child Care Council of Westchester, Inc. to perform the above said services for the period from January 1, 2013 through December 31, 2013 for an amount not to exceed \$844,977 to be paid quarterly pursuant to an approved budget; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all necessary and appropriate documents to effectuate the purposes hereof.

APPROVED BOARD OF ACQUISITION & CONTRACTS - 01/24/13 - JONAS VIEIRA, SECRETARY

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
263	22	445N	4380	T445	\$889,450
263	22	445N	9853	T445	\$889,450

Budget Funding Year(s): 2013
(must match resolution)

Start Date: 1/1/13

End Date: 12/31/13

Funding Source

Tax Dollars:

\$ 889,450 (revenue)

State Aid:

\$ 889,450(expense)

Federal Aid: 100%

(Must match resolution)

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/24/2013 - JIMMY V. V. SECRETARY