

31802

January 17, 2013

TO: Honorable Members
Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner of Probation

RE: **RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES IN AN AMOUNT NOT TO EXCEED \$605,438 AND SUBCONTRACT, WHERE APPROPRIATE, WITH THE LISTED AGENCIES, TO IMPLEMENT THE WESTCHESTER COUNTY ALTERNATIVES TO INCARCERATION SERVICE PLAN FOR THE PERIOD JULY 1, 2012 TO JUNE 30, 2013, PURSUANT TO AN APPROVED BUDGET AND IN ACCORDANCE WITH STATE APPROVAL**

Authority is sought for the County of Westchester to enter into an agreement with the New York State Division of Criminal Justice Services in an amount not to exceed \$605,438 and subcontract, where appropriate, with the listed agencies, to implement the Westchester County Alternatives to Incarceration Service Plan for the period July 1, 2012 to June 30, 2013, pursuant to an approved budget and in accordance with State approval.

The Westchester County Alternatives to Incarceration Service Plan encompasses funding for the period July 1, 2012 - June 30, 2013 for the following:

- Pre-Trial Services Institute of Westchester, Inc.
 - Release on Recognizance (ROR) Program \$67,784
 - Bail Expediting Program 26,019
 - Monitored Release Program 19,865
- Department of Probation Community Service Program 62,088
- St. John's Riverside Hospital, Phelps Memorial Hospital Center and Westchester County Probation Department
 - Direct Treatment Alternative To Incarceration (DTATI) Program 210,116
- Department of Community Mental Health Treatment Alternatives for Safer Communities (TASC) 173,292
- Department of Correction Young Offender Program 46,274

TOTAL

\$605,438

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/21/2013 - JOMARY VIEIRA, SECRETARY

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 2011-12 there was an estimated cost savings of over \$100 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 were followed; the procurement is exempt under Section 3(a)iii. The primary agreement is a transaction/contract with the State of New York. 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 the exception "...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." 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 a requirement of the grant.

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

Phelps Memorial Hospital Center-Section 3(a)xvii which provides for the exception "...care, treatment, counseling...to the mentally ill...and those suffering from the disease of alcoholism or substance abuse."

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.

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) can and will comply with all of the Grant Terms.

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.

LR
Attachment

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, in an amount not to exceed \$605,438 and subcontract, where appropriate, with the listed agencies, to implement the Westchester County Alternatives To Incarceration Service Plan for the period July 1, 2012 to June 30, 2013, pursuant to an approved budget and in accordance with State approval;

<u>Agency</u>	<u>Program</u>	<u>Amount</u>
Pre-Trial Services Institute of Westchester, Inc.	Release on Recognizance	\$ 67,784
Pre-Trial Services Institute of Westchester, Inc.	Bail Expediting	26,019
Pre-Trial Services Institute of Westchester, Inc.	Monitored Release	19,865
Department of Probation	Community Service	62,088
St. John's Riverside Hospital	Direct Treatment Alternative To Incarceration-Greenburgh and Yonkers Sites	77,742
Phelps Memorial Hospital Center	Direct Treatment Alternative To Incarceration-Ossining Site	37,821
Department of Probation	Direct Treatment Alternative To Incarceration	94,553
Department of Community Mental Health	Treatment Alternatives for Safer Communities (TASC)	173,292
Department of Correction	Young Offender	46,274
TOTAL		\$605,438

and it is 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.

Agreement #

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase or Unit	Revenue/ Object	Trust Account	Dollars
101	35	1000	9734		\$ 67,784
263	39	028M	9854	T028	\$ 26,019
263	39	029M	9854	T029	\$ 19,865
101	39	1000	9771		\$ 62,088
101	39	1000	9771		\$ 94,553
263	39	121M	9854	T121	\$ 77,742
263	39	122M	9854	T122	\$ 37,821
263	26	2000	9713		\$ 173,292
263	35	619M	9854	T619	\$ 46,274
263	39	028M	4380	T028	\$ 26,019
263	39	029M	4380	T029	\$ 19,865
263	39	121M	4380	T121	\$ 77,742
263	39	122M	4380	T122	\$ 37,821
263	35	619M	various	T619	\$ 46,274

Budget Funding Year(s) 2012-2013 Start Date July 1, 2012 End Date June 30, 2013
 (must match resolution)

Tax Dollars: _____

Funding Source

State Aid: N.Y.S. Div. Criminal Justice Services — \$605,438

Federal Aid -0-

Other _____

\$605,438
 (must match resolution)