

**32191**

February 12, 2013

To: Honorable Board of Acquisition and Contract

From: Kevin Cheverko  
Commissioner of Correction

Re: Authority for the County of Westchester to amend an agreement with New York Correct Care Solutions Medical Services, P.C. for the provision of comprehensive medical, mental health, dental and ancillary services to inmates and detainees in the custody of the Westchester County Department of Correction for a term July 26, 2010 through July 25, 2013, in order to exercise a renewal option for the period from July 26, 2013 through July 25, 2014, and increase the aggregate not to exceed amount over the contract term by \$16,071,461, subject to budget appropriation

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Your Honorable Board approved a Resolution on May 28, 2010, authorizing the County of Westchester to enter into an agreement with New York Correct Care Solutions Medical Services, P.C. ("NYCCS") for the provision of comprehensive medical, mental health, dental and ancillary services to inmates and detainees in the custody of the Westchester County Department of Correction for a term July 26, 2010 through July 25, 2013.

Under the agreement, NYCCS is paid a base amount of \$14,199,000 ("Base Amount") for the first year of the term, payable in equal monthly installments. The Base Amount for the second and third years, as well as for any renewal terms, is subject to an annual increase adjustment based on the change in the Consumer Price Index – All Urban Consumers, U.S. City Average, Medical Care, Series ID: CUUR0000SAM for the preceding year calculated using any increase in said CPI that occurs between April 1 of the preceding year and March 31 of the current year, provided that no annual increase adjustment shall exceed 4.5%. Additionally, if the average daily population at the facility increases by more than 10%, the parties agree to negotiate in good faith for an adjustment to the Base Rate. Pursuant to the agreement, in each contract year NYCCS is responsible for the initial \$2,500,000 in costs for services rendered outside of the Department of Correction's facilities ("Off-Site Services"). If the costs for Off-Site Services exceed \$2,500,000 in any contract year, the County will reimburse

NYCSS for 50% of the costs between \$2,500,001 and \$3,100,000. NYCCS will be responsible for 100% of any Off-Site Services costs in excess of \$3,100,000. Upon mutual agreement of the parties, the agreement may be renewed for two additional one-year terms.

Authority is now requested for the County to amend the agreement with NYCCS in order to exercise a renewal option for the period July 26, 2013 through July 25, 2014, and increase the aggregate not to exceed amount over the contract term by \$16,071,461, subject to budget appropriation. All other terms and conditions of the agreement will remain unchanged.

The goal of this agreement is to provide effective inmate health care. The performance by NYCCS will be monitored by Department of Correction staff utilizing regular reports. This agreement is exempt from the Westchester County Procurement Policy and Procedures pursuant to section 3(a)(viii) thereof.

Accordingly, I recommend approval of the annexed Resolution.

KC/DLV/dv

APPROVED BOARD OF ACQUISITION & CONTRACTS  
01/22/2013 - 5:00 PM  
S. M. VIEIRA, SECRETARY

**RESOLUTION**

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

**RESOLVED**, that the County of Westchester is authorized to amend an agreement with New York Correct Care Solutions Medical Services, P.C. ("NYCCS") for the provision of comprehensive medical, mental health, dental and ancillary services to inmates and detainees in the custody of the Westchester County Department of Correction for a term July 26, 2010 through July 25, 2013, in order to exercise a renewal option for the period July 26, 2013 through July 25, 2014 and increase the aggregate net to exceed amount over the contract term by \$16,071,461, subject to budget appropriation; and be it further

**RESOLVED**, that all other terms and conditions of the agreement shall remain unchanged; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
2013	101	35	1000	4380		3000	\$ 6,571,442
2014	101	35	1000	4380		3000	\$ 9,500,019

Budget Funding Year(s) 2013-2014 Start Date 7/26/2013 End Date 7/25/2014  
 (must match resolution)  
\$16,071,461

Funding Source Tax Dollars \$16,071,461  
 State Aid \_\_\_\_\_  
 Federal Aid \_\_\_\_\_  
 Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION SECRETARY