



Robert P. Astorino
County Executive

Department of Social Services

Kevin McGuire
Commissioner

32322

DATE: February 14, 2013

TO: Honorable Board of Acquisition and Contract

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

SUBJECT: Authorizing the County to amend an Agreement with Westchester Community Opportunity Program, Inc. to provide non-custodial parents who are receiving public assistance under the Safety Net Program with services to prepare for, find and retain employment for the term June 1, 2011 through December 31, 2012 in the sum of \$210,000 (the "Agreement") in order to rescind the First Amendment Agreement dated June 22, 2012 and to extend the termination date of the Agreement through March 31, 2013 and to increase the amount of the Agreement by \$108,797 for a new total not to exceed amount of \$318,797 payable pursuant to an approved budget

The County entered into an agreement with Westchester Community Opportunity Program, Inc. dated September 20, 2011 to provide non-custodial parents who are receiving public assistance under the Safety Net Program with services to prepare for, find and retain employment for the term June 1, 2011 through December 31, 2012 (the "Agreement") in an amount not to exceed \$210,000 (the "Agreement"). The County then entered into a First Amendment Agreement dated June 22, 2012 (the "First Amendment") which increased the not to exceed amount of the Agreement to \$332,675, payable monthly pursuant to an approved budget.

The First Amendment was entered into in error, because although the not to exceed amount was in line with the resolution adopted by your Honorable Board authorizing it, the First Amendment total not to exceed amount of \$332,675 exceeded the required budget which should have been \$277,721. Therefore authority is currently being requested to rescind the First Amendment.

Authority is also being requested to amend the Agreement to extend it for three additional months in order to allow Westchester Community Opportunity Program, Inc. to continue working with some customers to find employment as well as transition them to a different vendor and to increase the not to exceed amount by \$41,076 in addition to the first increase of \$67,721 to cover the cost associated with the services to be provided during the extended term. Therefore, the proposed amendment will extend the Agreement for three months starting from January 1, 2013 and ending on March 31, 2013 in order to provide case management, immediate job match and referral, placement in work experience, wage subsidy, on-the-job training as well as occupational skills training, referral and assistance with high school or General Education Diploma ("GED"), job development, referral for legal assistance and housing assistance and increase the not to exceed by \$108,797 (\$67,721 from the rescinded first amendment plus the current increase of \$41,076) for a new total not to exceed amount of \$318,797, payable pursuant to an approved budget.

All other terms and conditions of the Agreement shall remain in full force and effect.

The **public purpose** of this program is to give non-custodial parents who are currently on public assistance, the skills and resources needed to obtain employment which will lead to an end to their dependence on public assistance. The **goal and objective** of providing training, employment and casework services to non-custodial parents who are Department of Social Services customers will be monitored by the Department through the performance measures guidelines.

This contract is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)(xiv) thereof.

Your approval of the attached resolution to is respectfully requested.

KMM/DI

RESOLUTION

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

RESOLVED, that the County is hereby authorized to rescind in its entirety a First Amendment Agreement with Westchester Community Opportunity Program, Inc. dated June 22, 2012 which increased to \$332,675 the not to exceed amount of the original agreement to provide non-custodial parents who are receiving public assistance under the Safety Net Program with services to prepare for, find and retain employment for the term June 1, 2011 through December 31, 2012 (the "First Amendment"); and be it further

RESOLVED, that the County is hereby authorized to amend an agreement with Westchester Community Opportunity Program, Inc. dated September 20, 2011 to provide non-custodial parents who are receiving public assistance under the Safety Net Program with services to prepare for, find and retain employment for the term June 1, 2011 through December 31, 2012 in an amount not to exceed \$210,000 (the "Agreement"), in order to extend the term of the Agreement through March 31, 2013 and to increase the amount of the Agreement by \$108,797 for a new total not to exceed amount of \$318,797, payable pursuant to an approved budget; and be it further

RESOLVED, that all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that this agreement is subject to County appropriations; 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 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 the County Executive or his authorized designee is empowered to execute any and all documents necessary to implement this resolution.

Original Agreement:	\$210,000
This Amendment:	<u>108,797</u>
TOTAL:	\$318,797

Account to be charged/credited
2012
2013

FUND	AGENCY	CAPITAL PROJECT/ORG.	OBJECT/SUB OBJECT	TRUST ACCOUNT	ACTIVITY	DOLLARS
101	22	8900	5860	-----	-----	\$ 67,721
101	22	8900	5860	-----	-----	\$41,076

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

Start Date: N/A

End Date: March 31, 2013

Funding Source

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

\$108,797
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/21/2013 - JOMARY VILLAS SECRETARY