

40256

May 8, 2014

To: Honorable Board of Acquisition and Contract

From: Kevin Cheverko
Commissioner of Correction

Re: Authority for the County of Westchester to enter into a second amendment to 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, in order to exercise a renewal option for the period July 26, 2014 through July 25, 2015, and increase the aggregate not to exceed amount over the contract term by \$15,898,791 to an amended aggregate total of \$ 77,453,972, subject to budget appropriation.

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, subject to renewal for up to two additional one-year terms upon mutual agreement of the parties.

Pursuant to a Resolution approved by your Honorable Board on March 21, 2013, the County was authorized to amend the agreement to 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 to an amended aggregate total of \$61,555,181, subject to budget appropriation.

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 agreed to negotiate in good faith for an adjustment to the Base Rate. Further, the County and Contractor mutually agreed that for the Renewal Term, the cost-sharing arrangement of the Original Agreement will be set aside and Contractor will assume responsibility for payment of all costs incurred for healthcare services rendered offsite to inmates of the County Department of Correction, notwithstanding a credit (the "Medicaid Credit") given by Contractor to County for any inmate inpatient hospitalization. The Medicaid Credit will be calculated in an amount equal to 50% (fifty percent) of the average discharge rate between January and June 2014 as published by the Department of Health for the State of New York plus an additional credit of 20% (twenty percent) for estimated professional fees.

Authority is now requested for the County to further amend the agreement with NYCCS in order to exercise a renewal option for the period July 26, 2014 through July 25, 2015, and increase the aggregate not to exceed amount over the contract term by \$15,898,791 to an amended aggregate total of \$77,453,972, 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

RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to enter into a second amendment to 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, in order to exercise a renewal option for the period July 26, 2014 through July 25, 2015, and increase the aggregate not to exceed amount over the contract term by \$15,898,791 to an amended aggregate total of \$77,453,972, 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.

Original Contract Amount
 7/26/2010 – 7/25/2013 - \$45,483,720
 1st Renewal Option
 7/26/2013 – 7/25/2014 - \$16,071,461
 2nd Renewal Option
 7/26/2014 – 7/25/2015 - \$15,898,791
 Amended Aggregate Total \$77,453,972

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
2014	101	35	1000	4380		3000	\$ 6,925,775
2015	101	35	1000	4380		3000	\$ 8,973,016

Budget Funding Year(s) _____ Start Date 7/26/14 End Date 7/25/15
 (must match resolution)
\$ 15,898,791

Funding Source Tax Dollars \$ 15,898,791
 State Aid _____
 Federal Aid _____
 Other _____