

43790

Date: 12/11/2014
TO: Honorable Members
Board of Acquisition and Contract
FROM: Rocco A. Pozzi
Commissioner of Probation

RE: Authority to amend an agreement with National Curriculum Training Institute, Inc. ("NCTI") which allows the Departments of Probation the ability to copy NCTI Cognitive Life Skills Program materials for a one-year period commencing June 1, 2014 and ending May 31, 2015 at a cost not to exceed \$25,000 by changing the payment terms of that agreement

Authority is hereby sought from your Honorable Board to amend an agreement with NCTI, which allows the Department of Probation (the "Department") the ability to copy NCTI Cognitive Life Skills Program ("CLSP") materials (the "Agreement").

Your Honorable Board is advised that the payment terms of the Agreement must be revised from "payable upon completion of the Work" to "Licensee shall pay the Curricula License Fee within 30 days upon receipt of an executed Invoice and supporting documentation requested by Licensee," since the Agreement is a license agreement for a period of one year, but the vendor has already authorized the County to use the licensed materials, the vendor now seeks payment.

NCTI is a leader in the field of cognitive behavior change programs for offenders. The Department has utilized NCTI CLSP materials for many years. The goals of the CLSP groups are to improve offender decision making and interpersonal skills which enable participants to work better in their environment and handle conflict more constructively. This past year approximately 90 CLSP groups were run with an average size of 5 to 10 people per group.

With the curriculum license, the Department will receive "make ready originals" of the curriculum for the Cognitive Life Skills program. These "make ready originals" are designed to be copied as needed which provide the Department with a flexible and cost effective alternative to implement the programs. The advantages are as follows:

- Personnel do not have to carry and store pre-printed workbooks
- Waste is minimized when clients join or leave the program in mid-stream, which can result in portions of a workbook being unused
- Money is saved on shipping charges, since copying is done on site

- The Departments can readily make program components available to clients, resulting in greater participation
- Any updates to the curriculum do not result in outdated inventories

The Probation department will track the number of CLSP groups during the period of the contract to demonstrate the significant role that CLSP groups play in supervising offenders and to give an idea of how many sets of CLSP materials are used.

The license agreement serves several public purposes. It saves taxpayer dollars by substituting the ability to reproduce materials onsite for the purchasing and shipping of professionally printed booklets and materials. The agreement also prevents paper waste since specific sections of the programs can be selected for use as opposed to having to acquire an entire pack of materials. Most importantly, Westchester County residents will be safer as a result of employing CLSP programs, as research has proven that cognitive behavioral programming has a demonstrated record of effectiveness in reducing recidivism.

Approval of this resolution will ensure that the offenders supervised or institutionalized by these departments will be more likely to make positive decisions and, therefore, decrease the risk of recidivism. With respect to the licensing aspect of the agreement, by approving this resolution, the Probation department will not have to purchase materials published by the vendor at higher expense with greater potential for paper waste.

It should be noted that this license is exempt from the County's Procurement Policy pursuant to Section 3(b) therein. A proposed resolution to authorize this agreement is annexed hereto, and I recommend its approval.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/15/2015 PRIMARY VIEW SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to amend its a Curriculum License Agreement with National Curriculum Training Institute, Inc. (“NCTI”) which allows the Department of Probation the ability to copy NCTI Cognitive Life Skills Program materials for the one-year period commencing June 1, 2014 and ending May 31, 2015 at a cost not to exceed \$25,000 (the “Agreement”) by amending the payment terms of the Agreement to be revised from “payable upon completion of the Work” to “payable upon completion of contract and receipt of an invoice for the current agreement year”; and be it further

RESOLVED that all other terms and conditions of the Agreement shall remain the same; 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 reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impact of any such State 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 this Agreement is subject to County Appropriations; and be it further

RESOLVED, that the County Executive or his duly appointed designee is hereby authorized to execute such documents and take such actions necessary and appropriate to affect the purpose hereof.

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
101	39	1000	4380		\$25,000

Budget Funding Year(s) 2014-2015 Start Date June 1, 2014 End Date May 31, 2015
(Must match resolution)

Funding Source Tax Dollars \$25,000
State Aid _____
25,000 Federal Aid _____
(Must match resolution) Other _____