

44860

February 17, 2015

To: Board of Acquisition and Contract

From: Kevin M. Cheverko
Commissioner of Correction

Re: Authority to enter into an agreement with New York Correct Care Solutions Medical Services P.C. for the provision of comprehensive medical, dental and mental health services for adult and minor male and female pre-trial inmates and sentenced prisoners confined at the Westchester County Department of Correction's facilities commencing July 26, 2015 and terminating July 25, 2018, with the County having the sole option to renew the agreement for three (3) additional one (1) year renewal periods, for a total amount not to exceed \$43,772,520.00, payable pursuant to an approved budget.

Authority is hereby requested to enter into an agreement with New York Correct Care Solutions Medical Services P.C. ("NYCCS") for the provision of comprehensive medical, dental and mental health services for adult and minor male and female pre-trial inmates and sentenced prisoners confined at the Westchester County Department of Correction's (the "Department") facilities located in Valhalla, New York. The proposed agreement will commence July 26, 2015 and terminate July 25, 2018, with the County having the sole option to renew the agreement for three (3) additional one (1) year renewal periods, with the same terms and conditions. The agreement's total amount is not to exceed \$43,772,520.00, payable \$14,590,840 annually and pursuant to an approved budget. However, the County has agreed that if the average daily population at the Department's facilities, determined on a quarterly basis, increases by more than ten percent (10%) above 1,300 inmates, the parties shall negotiate in good faith for an adjustment to that pricing.

Although this agreement is exempt from the Westchester County Procurement Policy and Procedures pursuant to section 3(a)(viii) thereof, the County issued a Request for Proposals for the provision of these services. Four (4) firms submitted proposals. In accordance with the County's Procurement Policy and the RFP, the proposals were ranked based upon the evaluation criteria set forth in the RFP and NYCCS was ranked first. Attached hereto and made a part hereof as Schedule "A" is a copy of the Summary Comparison Chart ranking the proposers. In reviewing all of the proposals, it was exceedingly clear that NYCCS, the Department's existing inmate health services provider, was the most qualified proposer. NYCCS has an established market share in New York State and the ability to pull resources from other sites (both within New York and nationwide). NYCCS is a New York-based and physician-owned professional

services corporation. Having reviewed the proposal and having the opportunity to directly interface with NYCCS's administration, clinical medical personnel and sub-contractors on a daily basis for a period in excess of four (4) years, NYCCS was found to be highly qualified to provide inmate health services. In addition, NYCCS was the only proposer to commit fully to proposer-employed workforces, with no reliance on agency staff. Its ability to provide sick call triage at a physician and/or nurse practitioner-level was superior to the other proposers' methods of delivery. Its continued commitment to accreditation by national agencies (the American Correctional Association and the National Commission on Correctional Health Care, both of which audited NYCCS and determined 100% compliance with all mandatory inmate health standards) cannot be understated. Furthermore, NYCCS proposal devoted significant resources and manpower to target critical portions of WCDOC's inmate population, including a robust mental health program, enhanced services for minors and a detailed mental health classification system.

While not the lowest cost proposer, NYCCS's fee structure was the most responsible of all proposers. Its proposal ensures significant cost containment for the County (e.g. through full defense and indemnification of all legal claims and a commitment to recoupment from third parties for offsite hospitalization costs) while simultaneously ensuring a continued high level of patient care. In comparison to other proposals, NYCCS submitted a responsible and detailed rationale of its fees for services and, most critically, is the only 'full risk' proposal (including in critical areas of pharmacy costs, offsite care and litigation-related costs).

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.

I recommend approval of the attached proposed resolution.

KMC/jpi

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement (the "Agreement") with New York Correct Care Solutions Medical Services P.C. ("NYCCS") for the provision of comprehensive medical, dental and mental health services for adult and minor male and female pre-trial inmates and sentenced prisoners confined at the Westchester County Department of Correction's facilities; and be it further

RESOLVED, that the Agreement shall be for a term of three (3) years commencing July 26, 2015 and terminating July 25, 2018, with the County having the sole option to renew the agreement for three (3) additional one (1) year renewal periods, with the same terms and conditions; and be it further

RESOLVED, that for the services rendered pursuant to the Agreement, NYCCS shall be compensated an amount not to exceed \$14,590,840 annually, for a total amount not to exceed \$43,772,520.00 for the initial three (3) year term, payable pursuant to an approved budget. However, the County has agreed that if the average daily population at the Department's facilities, determined on a quarterly basis, increases by more than ten percent (10%) above 1,300 inmates, the parties shall negotiate in good faith for an adjustment to that pricing; and be it further

RESOLVED, that this Agreement is subject to 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 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 the County Executive, or his duly authorized designee, is hereby authorized to execute such documents and take such actions as may be necessary and appropriate to effectuate the purposes hereof.

Account to be Charged/Credited

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2015	101	35	1000	4380		\$ 6,356,010
2016	101	35	1000	4380		\$14,590,840
2017	101	35	1000	4380		\$14,590,840
2018	101	35	1000	4380		\$ 8,234,830

Budget Funding Year(s) Start Date: 07/26/2015 End Date: 07/25/2018
 (must match resolution)

Funding Source Tax Dollars \$43,772,520
 State Aid _____
\$43,772,520 Federal Aid _____
 (must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 03/26/2015 - JOMARY VIEIRA, SECRETARY

SCHEDULE "A"

SUMMARY COMPARISON CHART

**I. OVERALL
QUALIFICATIONS**

CMC: 3.
Corizon: 6.
NYCCS: 10.
QCCH: 2.

**II. QUALITY OF
PROPOSAL &
HEALTH
SERVICES PLAN(S)**

CMC: 4.
Corizon: 6.
NYCCS: 10.
QCCH: 2.

**III. RATES FOR
SERVICES**

CMC: 6.
Corizon: 7.
NYCCS: 9.
QCCH: 4.

**IV. FINANCIAL
WELL-BEING**

CMC: 6.
Corizon: 9.
NYCCS: 9.
QCCH: 6.

In compiling raw scores of the four areas set forth above, NYCCS ranked first (38), Corizon second (28), CMC third (19) and QCCH fourth (11).