



Robert P. Astorino  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

**46538**

To: Board of Acquisition and Contract

From: Kevin M. McGuire  
Commissioner of Social Services

Date: May 1, 2015

Re: **Authority for the County to amend two Agreements with Westchester Community Opportunity Program, Inc. to manage and provide a New Rochelle Emergency Overnight Shelter one for the term January 1, 2013 through December 31, 2013 in the amount of \$427,989, and the other for the term January 1, 2014 through December 31, 2014 in the amount of \$427,989 in order to increase the amount payable pursuant to each agreement by \$14,919 and \$26,574 respectively, as a result of inclement weather in both 2013 and 2014 which required the Shelter to extend its hours of operation and to serve an increased number of people.**

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On April 26, 2013 and on March 24, 2014 the Westchester County Department of Social Services ("Department") entered into two agreements with Westchester Community Opportunity Program, Inc. ("WestCOP"), one in the amount of \$427,989, for the term January 1, 2013 through December 31, 2013 (the "2013 Agreement") and the other in the amount of \$427,989 for the term January 1, 2014 through December 31, 2014 (the "2014 Agreement") to provide a New Rochelle Emergency Overnight Shelter, located at 19 Washington Avenue, New Rochelle, New York. Due to long, hard winters and extended inclement weather during the winters of 2013 and 2014, the hours of the New Rochelle Emergency Overnight Shelter were extended and the Shelter served an increased number of people, causing both the 2013 and the 2014 Agreements to go over budget. Authority is currently requested to increase the amount payable pursuant to the 2013 Agreement by \$14,919 to a total not to exceed amount of \$442,908 and to increase the amount payable pursuant to the 2014 Agreement by \$26,574 to a total not to exceed amount of \$454,563. The proposed amendments will reimburse WestCOP for necessary services provided to individuals in need of emergency overnight housing who are ineligible for

DSS benefits or who may have been disqualified from public assistance programs for any number of reasons.

The proposed amendment agreement will serve the public purpose of providing a safe, sanitary, warm, dry place for people who are not housed and do not currently participate in the formal County shelter system. The individuals to be served by the emergency shelter are in need of housing, and may have been disqualified from a public assistance program for failing to comply with a rule, procedure or regulation or are otherwise ineligible for DSS benefits.

All other terms and conditions of the 2013 Agreement and the 2014 Agreement shall remain in full force and effect.

A resolution is annexed hereto, which I recommend for your favorable consideration.

KMM/DI  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/14/2015 - JONATHAN W. HERR, SECRETARY

## RESOLUTION

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

**RESOLVED**, that the County of Westchester is hereby authorized to amend two agreements with Westchester Community Opportunity Program, Inc. one in the amount of \$427,989 for the term January 1, 2013 through December 31, 2013 (the "2013 Agreement") and the other in the amount of \$427,989 for the term January 1, 2014 through December 31, 2014 (the "2014 Agreement") both for the provision of a New Rochelle Emergency Overnight Shelter, in order to increase the amount of the 2013 Agreement by an amount not to exceed \$14,919 for a total not to exceed amount of \$442,908 and to increase the amount of the 2014 Agreement by an amount not to exceed \$26,574 for a total not to exceed amount of \$454,563; and be it further

**RESOLVED**, that all other terms and conditions of the 2013 Agreement and the 2014 Agreement shall remain in full force and effect; and be it further

**RESOLVED**, that these contracts are subject to County appropriations; and be it further

**RESOLVED**, that these Agreements are also subject to further financial analysis of the impact of any New York State Budget ("State Budget") proposed and adopted during the term of these Agreements. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State budget and/or 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 impact of any such budget(s) on County finances. After such analysis, the County shall retain the right to either terminate these Agreements, or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractors then the Contractors shall have the right to terminate the 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 effectuate the purposes hereof.

|                         |                        |                        |
|-------------------------|------------------------|------------------------|
|                         | <u>2013</u>            | <u>2014</u>            |
| Original Agreement:     | \$427,989              | \$427,989              |
| <b>First Amendment:</b> | <b><u>\$14,919</u></b> | <b><u>\$26,574</u></b> |
| TOTAL:                  | \$442,908              | \$454,563              |

| Account to be Charged/credited | Fund | Dept | Major Program, Program & Phase Or Unit | Object Sub Object | Trust Account | Dollars  |
|--------------------------------|------|------|--|-------------------|---------------|----------|
|                                | 101  | 22   | 8910                                   | 5860              | -----         | \$14,919 |
|                                | 101  | 22   | 8910                                   | 5860              | -----         | \$26,574 |
|                                |      |      |  |                   |               |          |
|                                |      |      |  |                   |               |          |

Budget Funding Year(s): 2015  
(must match resolution)

Start Date: 1/1/13 End Date: 12/31/14

Funding Source

Tax Dollars: 71%

State Aid: 29%

\$41493

(must match resolution)

Federal Aid:

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION - JOMARY VIEIRA, SECRETARY