

Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

49081

DATE: October 21, 2015

TO: Board of Acquisition and Contract

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

SUBJECT: Resolution authorizing the County of Westchester to amend a resolution approved on September 3, 2015 which authorized the County to enter into an Agreement with East Harlem Employment Service, Inc. d/b/a STRIVE (Support and Training Result in Valuable Employees) to introduce and reinforce the STRIVE Core Service model and to provide the County with a license to use the STRIVE Program and related materials for the period from July 1, 2015 through June 30, 2016 for an amount not to exceed \$53,500, by 1) reflecting the agency's new name "STRIVE International, Inc."; 2) expanding the scope to include an authorization for the County to become a non-exclusive licensee of STRIVE's trademarks and logos; and 3) reflecting the County's reservation of an option to renew the Agreement for up to four (4) additional one (1) year terms subject to the availability of funding and the further approval of the Board of Acquisition and Contract.

By resolution approved on September 3, 2015 (the "September 3rd Resolution") your Honorable Board authorized the County to enter into an agreement with East Harlem Employment Service Inc., d/b/a STRIVE (Support and Training Result in Valuable Employees, hereinafter "STRIVE") to introduce and reinforce the STRIVE Core Service model and to provide the County with a license to use the STRIVE program and related materials (the "STRIVE Program") as well as to provide observation and training visits to participants with STRIVE CORE trainers and subsequent technical assistance sessions to reinforce CORE program expectations and methodology to designated staffs of the Department of Social Services (the "Department") and the Department's contractors for the period from July 1, 2015 through June 30, 2016 for an amount not to exceed \$53,500 to be paid pursuant to an approved budget and subject to appropriation (the "Agreement"). The Agreement has not yet been executed.

In previous years, STRIVE has executed the County's contract form for this program. This year, however, STRIVE has developed its own Affiliation and Trademark License Agreement (the "ATLA") which, as a condition of continued participation in the STRIVE Program, all of STRIVE's affiliates must sign. The ATLA varies from the

County's Agreement in the following 2 material respects: 1) STRIVE has changed its name from East Harlem Employment Service Inc., d/b/a STRIVE, to "STRIVE International, Inc."; and 2) in addition to granting a license to use the STRIVE Program and related materials, the ATLA grants affiliates a non-exclusive license to use STRIVE's trademarks and logos.

In addition to the above, since a contract authorizing the County to participate in the STRIVE Program has been renewed on an annual basis since 2012, the parties have decided to include in the ATLA an option in favor of the County to renew the ATLA for up to four additional one (1) year periods, subject to the availability of funding and the further approval of your Honorable Board. This will obviate the need for the parties to execute a full agreement each year. Instead, a simple amendment will be executed. It should be noted that funding amounts under the renewal options may change from year to year commensurate with existing budget allocations.

Accordingly, authority is respectfully requested to amend the September 3rd Resolution in order to 1) reflect the agency's new name "STRIVE International, Inc."; 2) expand the scope to include an authorization for the County to become a non-exclusive licensee of STRIVE's trademarks and logos; and 3) reflect the County's reservation of an option to renew the Agreement for up to four (4) additional one (1) year terms, subject to the availability of funding and the further approval of your Honorable Board.

Except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the September 3rd Resolution shall remain in full force and effect.

Accordingly, your Honorable Board's approval of the attached resolution is respectfully recommended.

KMM/DB/jpg

Att.

RESOLUTION

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

RESOLVED, that the resolution approved on September 3, 2015 (the “September 3rd Resolution”) which authorized the County of Westchester to enter into an agreement with East Harlem Employment Service, Inc. d/b/a STRIVE (Support and Training Result in Valuable Employees) to introduce and reinforce the STRIVE Core Service model and to provide the County with a license to use the STRIVE program and related materials (the “STRIVE Program”) as well as to provide observation and training visits to participants with STRIVE CORE trainers and subsequent technical assistance sessions to reinforce CORE program expectations and methodology to designated staffs of the Department of Social Services and Contractors for the period from July 1, 2015 through June 30, 2016 for an amount not to exceed \$53,500 (the “Agreement”), is hereby amended by 1) reflecting the agency’s new name “STRIVE International, Inc.”; 2) expanding the scope to include an authorization for the County to become a non-exclusive licensee of STRIVE’s trademarks and logos; and 3) reflecting the County’s reservation of an option to renew the Agreement for up to four (4) additional one (1) year terms, subject to the availability of funding and the further approval of the Westchester County Board of Acquisition and Contract; and be it further

RESOLVED, that except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the September 3rd Resolution shall remain in full force and effect; and be it further

RESOLVED, that the County Executive, or his authorized designee, is authorized to execute any and all documents necessary to effectuate the purposes hereof.

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
	N/A	N/A	N/AN/A	N/A	N/A	N/A

Budget Funding Year(s): 2015-16 Start Date: 07/01/15 End Date: 06/30/16

(Must match resolution)

Funding Source

Tax Dollars: N/A

State Aid: N/A

Federal Aid: N/A

Other:

\$N/A

(must match res)