



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

50558

DATE: January 15, 2016

TO: Board of Acquisition and Contract

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

RE: Resolution to exempt from compliance with the Westchester County Procurement Policy an agreement between the County of Westchester and Westchester Institute for Human Development for the provision of services relating to training, education, technical assistance and applied research to individuals with disabilities and their families and vulnerable children.

Authority is requested to exempt from compliance with the Westchester County Procurement Policy an agreement between the County of Westchester (“County”), acting by and through its Department of Social Services (“Department”) and Westchester Institute for Human Development (“WIHD”) whereby WIHD will provide services relating to training, education, technical assistance and applied research to individuals with disabilities and their families and vulnerable children in the County of Westchester.

The term of this agreement shall be January 1, 2015 through March 31, 2018 (the “Initial Term”), and thereafter, shall automatically renew for an additional two (2) year term (the “Two Year Renewal”) if the related sublease agreement between the County and WIHD is renewed. If the sublease is not renewed, this agreement shall terminate.

If the sublease is renewed for the Two Year Renewal, the sublease, and likewise this agreement, shall thereafter automatically renew for an additional five (5) year term through December 31, 2024, unless either party to the sublease notifies the other party in writing at least one hundred eighty (180) days prior to the end of the Two Year Renewal that it does not wish to renew the sublease. In the event such notice of non-renewal is given in such 180 day period, the

sublease agreement, and likewise this agreement, will terminate at the end of the Two Year Renewal.

On December 13, 2004, the Board of Legislators approved Local Law No. 22-2004 which authorized the County to enter into subleases with WCHCC and the Institute. As Cedarwood Hall is included in the Premises as defined by the Restated and Amended Lease Agreement between the County and WCHCC dated December 30, 1998, WCHCC subleases that portion of Cedarwood Hall used by the Institute to the County ("2005 WCHCC Agreement") and the County in turn subleases the same space to the Institute ("2005 WIHD Agreement"). Pursuant to Local Law Intro. No. 8591-2015, approved by the Board of Legislators on November 9, 2015, authorization was granted for this arrangement to continue uninterrupted and enables the Institute to get the best possible Medicaid reimbursement rates. Your Honorable Board approved the resolution authorizing the sublease amendments on December 17, 2015. Additionally, the County and WIHD on or about June 27, 2005 entered into an agreement whereby WIHD provided services relating to clinical programs, training, education, technical assistance and applied research to individuals with disabilities and their families. That agreement expired December 31, 2014.

Due to its long-standing relationship with the Department, WIHD is in a most advantageous position to provide these services. WIHD has gained extensive working knowledge of the Department's programs and policies and understands the need for a comprehensive educational coordination program.

Therefore, it is proposed that the best interests of the County are served by entering into this agreement with Westchester Institute for Human Development. This recommendation is made pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy. A separate resolution has been submitted requesting authority to enter into this agreement.

RESOLUTION

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

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy, it is hereby determined that application of the procedural requirements, including the necessity to prepare and solicit request for proposals, is neither cost-effective nor expedient and accordingly not in the best interest of the County of Westchester in connection with the procurement of professional consulting and technical services from Westchester Institute for Human Development for services relating to training, education, technical assistance and applied research to individuals with disabilities and their families and vulnerable children in the County of Westchester for the period January 1, 2015 through March 31, 2018.

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION
ESMERIJAJ, SECRETARY