

Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

Philippe Gille
First Deputy Commissioner

52550

DATE: August 9, 2016

TO: Board of Acquisition and Contract

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

SUBJECT: Authority for the County of Westchester to Amend an Agreement with The Sharing Community, Inc. to operate an overnight warming site/drop-in center at a facility known as the **Broadway Manor Emergency Shelter** located at 101 North Broadway, Yonkers, New York for the period January 1, 2016 through June 30, 2016 for an amount not to exceed \$268,567 in order to extend the term of the agreement by six (6) months to end on December 31, 2016 and to increase the not to exceed by \$ 350,027 from an amount not to exceed \$268,567 to a new total not to exceed \$618,594 to be paid monthly pursuant to an approved budget and subject to appropriation.

On or about April 1, 2016, through a Resolution approved by your Honorable Board on March 24, 2016, the County of Westchester, acting by and through its Department of Social Services, entered into an agreement with The Sharing Community, Inc. to operate an overnight warming site/drop-in center at a facility known as the **Broadway Manor Emergency Shelter** located at 101 North Broadway, Yonkers, New York for the period from January 1, 2016 through June 30, 2016 for an amount not to exceed \$268,567, to be paid monthly pursuant to an approved budget and subject to appropriation.

Authority is being requested from your Honorable Board to amend the aforesaid agreement with The Sharing Community, Inc. in order to extend the term thereof by six (6) months to end on December 31, 2016 and increase the not to exceed by \$350,027 from an amount not to exceed \$268,567 to a new total not to exceed \$618,594 to be paid monthly pursuant to an approved budget and subject to appropriation. The additional funding will be used to cover the cost associated with the continued operation of this facility during the extended term.

The **public purpose** of the proposed agreement is to provide a safe, warm, supervised place for homeless individuals who are outside the shelter system of Westchester County to sleep at night, off the street and out of the weather. In addition to this impact on the individuals, this also benefits the public good; as without the presence of the overnight warming site/drop-in center, these people would likely be seeking out public places to sleep and/or escape from the elements. The presence of overnight warming site/drop-in center provides a referral option for local officials and members of the community that is more humane and less costly than trying to use jail or other alternatives to remove the homeless from public places.

The **goals and objectives** of the program are to provide an overnight warming site/drop-in center for homeless individuals.

The goals and objectives of this program are in **the best interests of the County in terms of public health and public safety** as they are aimed at ensuring the health and safety of the targeted population by providing a safe, warm, supervised warming site/drop-in center.

The provision of these services are in the **best interests** of the County and are fiscally responsible as they will ensure the health and safety of customers by providing shelter to persons who would otherwise be on the street, thereby reducing the risk of crime and reducing dependence on public assistance.

The goals and objectives will be tracked and monitored through performance measurement indicators developed by the Department. The tracking and monitoring tools include the submission of monthly statistics and quarterly reports as well as direct contact with the Department's staff in order to swiftly address any impediments to the program's success. **The Department is able to report that as part of the Performance Measurement Indicators,** the Sharing Community provided emergency shelter for 459 individuals at the Broadway Manor overnight warming site/drop-in center.

This contract is exempt from the Westchester County Procurement Policy under Section 3(a) (xiv). This contract is not subject to the competitive procurement requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (formerly, the Grants Management Common Rule) as there is no federal funding for this program.

Except as specifically amended hereby, all other terms and conditions of the original agreement shall remain in full force and effect.

Accordingly, the County of Westchester is hereby requesting permission to amend an agreement with The Sharing Community, Inc. for the above said purpose.

An appropriate resolution is attached for your Honorable Board's approval.

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to amend an agreement with The Sharing Community, Inc. to operate an overnight warming site/drop-in center at a facility known as the **Broadway Manor Emergency Shelter**, located at 101 North Broadway, Yonkers, New York for the period from January 1, 2016 through June 30, 2016 for an amount not to exceed \$268,567 in order to extend the term thereof by six (6) months to end on December 31, 2016 and increase the not to exceed by \$350,027 from an amount not to exceed \$268,567 to a new total not to exceed \$618,594 to be paid monthly pursuant to an approved budget ; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the original agreement shall remain in full force and effect; and be it further

RESOLVED, that this Contract is subject to County Appropriation; 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 empowered to execute any document necessary to implement this Resolution.

Original Contract Amount:	\$268,567
This amendment:	<u>\$350,027</u>
Total	<u>\$618,594</u>

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2016	101	22	8900	5860	-----	\$350,027

Budget Funding Year(s): 2016 Start Date: N/A End Date: 12/31/2016
(must match resolution)

Funding Source

Tax Dollars: 71%

State Aid: 29%

\$350,027
(must match resolution)

Federal Aid:

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/01/2016 - LISA M. MOSE, SECRETARY