



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

52970

DATE: October 7, 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 Westchester County Association, Inc. (“WCA”), pursuant to which the WCA was to provide project management services and related services for a project funded by the United States Department of Labor under an H1-B Ready to Work Partnership Grant, in order to 1) expand the scope of services to include additional career coaches and job developers; and 2) increase the not-to-exceed amount thereunder by an additional \$1,364,956.

By a resolution approved on August 12, 2015, your Honorable Board authorized the County of Westchester (the “County”) to enter into an agreement with the WCA, pursuant to which the WCA was to provide project management services and related services for a project funded by the United States Department of Labor (“USDOL”) under an H1-B Ready to Work Partnership Grant (the “Grant”), for an amount not to exceed \$2,025,670.00, for the period from July 1, 2015 through October 31, 2018 (the “Agreement”). The Agreement was subsequently executed.

Pursuant to the terms of the Agreement, WCA agreed to provide project management services and related services for the Jobs Waiting Project (the “Project”). The goal of the Project is to match long-term unemployed (“LTU”) individuals and incumbent workers to accelerated re-employment, short-term and long-term training, and work opportunities in high-demand H-1B-eligible healthcare occupations. In order to accomplish these goals, WCA agreed, among other things, to provide the services of career coaches to serve as career counselors and case managers (“Career Coaches”), and job developers to recruit employers, match LTU individuals to open jobs, supervise job placement and support LTU individuals placed in internships, on-the-job training, customized training and/or unsubsidized employment (“Job Developers”).

Having conducted ongoing reviews and monitoring of the services provided under the Agreement, including an annual review in June 2016, my office determined that additional Career Coaches and Job Developers were needed in the local career centers across the region to be readily available to provide the high quality services necessary to successfully implement and accomplish the goals of the Project. Accordingly, on September 2, 2016, the County's Department of Social Services (the "Department"), on behalf of the Westchester Putnam Local Workforce Development Board ("WDB"), petitioned the USDOL for a budget modification to the Grant as well as approval to modify the budget under the Agreement with WCA and to authorize non-competitive procurement of additional Career Coaches and Job Developers. By notice received on September 22, 2016, the USDOL approved the County's request for budget modification of the Grant. Thereafter, on October 6, 2016, Michael Hotard, a Federal Project Officer with the USDOL in Washington, D.C., in an informal email opinion, advised that pursuant to federal regulations, the WCA is not a contractor but rather a subrecipient. As such, federal regulations do not require the County to competitively procure a modification of their contract. It should be noted that the original Agreement *was* procured through the issuance of an RFP.

Accordingly, the Department respectfully requests that your Honorable Board authorize the County to amend the Agreement by expanding the scope of services as follows:

- Increasing the number of Career Coaches to be provided by the WCA from 3.5 FTE to 7 FTE for the period from July 1, 2016 to October 31, 2018. The Agreement currently provides for 1 FTE Career Coach for the Westchester-Putnam Workforce Development Board ("WDB") and Yonkers WDB, and 2.5 FTE Career Coaches for the Rockland WDB, the Orange WDB, the Dutchess WDB, the Ulster WDB, and the Sullivan WDB (i.e. 0.5 FTE Career Coach for each). The proposed amendment would budget for an additional 1 FTE for the Yonkers WDB by itself and additional Career Coaches of 0.5 FTE for the Rockland WDB; 0.5 FTE for the Orange WDB; 0.5 FTE for the Dutchess WDB; 0.5 FTE for the Ulster WDB; and 0.5 FTE for the Sullivan WDB. These additional staff would work in their respective career centers (i.e., the City of Yonkers Career Center, the Rockland Career Center, the Orange Career Center, the Ulster Career Center, and the Sullivan Career Center) and functionally report to the WCA as the Project Manager.
- Increasing the number of Job Developers to be provided by the WCA under the Agreement from 3.0 FTE to 6 FTE for the period from July 1, 2016 to October 31, 2018. The Agreement currently provides for 1 FTE Job Developer for the Westchester-Putnam WDB and the Yonkers WDB, and 2 FTE Job Developers for the Rockland WDB, the Orange WDB, the Dutchess WDB, the Ulster WDB and the Sullivan WDB (i.e., 0.5 FTE Job Developer for each). The modification would budget for an additional 1 FTE Job Developer for the Yonkers WDB by itself, and additional Job Developers of 0.5 FTE for the Rockland WDB, 0.5 FTE for the Orange WDB, 0.5 FTE for the Dutchess WDB, 0.5 FTE for the Ulster WDB, and 0.5 FTE for the Sullivan WDB. These additional staff would work in their respective career centers (i.e., the City of Yonkers Career Center, the Rockland Career Center, the Orange Career Center, the Ulster Career Center, and the Sullivan Career Center) and functionally report to the WCA as the Project Manager.

In consideration for providing said additional services, WCA shall be paid an additional amount not-to-exceed \$1,364,956, payable pursuant to an approved budget, thereby increasing the not-to-exceed amount thereunder from an amount not-to-exceed \$2,025,670.00 to a new not-to-exceed amount of \$3,390,626.00.

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

The proposed Amendment will serve a public purpose by better helping long term unemployed residents of the Lower Hudson Valley region.

The goal and objective of the proposed Amendment is to decentralize the delivery of services to long term unemployed residents of the Lower Hudson Valley region which in turn will improve the project's outcomes.

The goal and objective of the proposed Amendment is in the best interests of the County in terms of assisting long term unemployed residents gain employment and minimize their need for government assistance, as more staff are hired to better deliver the services and to improve the outcomes of the project.

The goal and objective of the proposed amendment will be tracked and monitored by the staff of the Department of Social Services.

I respectfully recommend the adoption of the attached Resolution.

KMM/DB/AT/jpg
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an agreement with The Westchester County Association, Inc (the "WCA"), pursuant to which the WCA was to provide project management services and related services for a project funded by the United States Department of Labor under an H1-B Ready to Work Partnership Grant, for an amount not to exceed \$2,025,670.00, for the period from July 1, 2015 through October 31, 2018 (the "Agreement") in order to 1) expand the scope of services to increase the number of Career Coaches to be provided by WCA under the Agreement from 3.5 FTE to 7 FTE for the period from July 1, 2016 to October 31, 2018 and to increase the number of Job Developers to be provided by WCA under the Agreement from 3.0 FTE to 6 FTE for the period from July 1, 2016 to October 31, 2018; and 2) increase the not-to-exceed amount thereunder by \$1,364,956, from an amount not-to-exceed \$2,025,670.00 to a new not-to-exceed amount of \$3,390,626.00, in order to compensate WCA for the provision of said additional services; and be it further

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

RESOLVED that the County Executive or his duly authorized designee is empowered to execute all documents and take all actions necessary to effect the purpose of this resolution.

Original Contract Amount: \$2,025,670
This Amendment: **\$1,364,956**
New Total \$3,390,626

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
275	22	559P	7350	559	\$1,364,956

Budget Funding Year(s): 2014 (Grant Year) Start Date: 7/1/2015 End Date: 10/31/2018
(must match resolution)

Funding Source Tax Dollars:
State Aid:
\$1,364,956 Federal Aid: 100%
(must match resolution) Other: