



Robert P. Astorino
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

55582

DATE: February 28, 2017

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to enter into an agreement with Westhab, Inc., pursuant to which it will provide a specified zone with an Emergency Housing Assistance Program, for an amount not-to-exceed \$3,993,000.00, for the period from January 1, 2017 through December 31, 2017, with the County having the sole option to extend the term for up to four (4) additional one (1) year periods on specified terms.

Authority is requested for the County of Westchester (the "County"), acting by and through its Department of Social Services ("DSS"), to enter into an agreement (the "Agreement") with Westhab, Inc. ("Westhab"), pursuant to which Westhab will provide the Yonkers City School District zone (the "Zone") with an Emergency Housing Assistance Program, consisting of the provision of Emergency Housing Units and related housing services to customers deemed eligible for temporary housing assistance by DSS, for an amount not-to-exceed \$3,993,000.00, for the period from January 1, 2017 through December 31, 2017 (the "Initial Term"), with the County having the sole option to extend the term for up to four (4) additional one (1) year periods (each an "Option Term").

Under the Agreement, each Option Term shall be for the respective not-to-exceed amount specified below and otherwise on the same terms as the Initial Term of the Agreement:

Not-To-Exceed Amounts			
1/1/18-12/31/18	1/1/19-12/31/19	1/1/20-12/31/20	1/1/21-12/31/21
Option #1	Option #2	Option #3	Option #4
\$4,092,824	\$4,195,143	\$4,300,022	\$4,407,524

On October 26, 2016, the County, acting by and through DSS, issued a Request for Proposals ("RFP"), which solicited proposals from vendors to provide the aforementioned

services. The RFP solicited the aforementioned services for the Zone, as well as for two other zones that were the subject of a resolution approved by your Honorable Board on January 26, 2017. The RFP specified that the County anticipated awarding multiple contracts based on the RFP, with the County awarding one (1) contract for each zone.

In response to the RFP, DSS received one proposal for the Zone. As an initial step, DSS sought to determine why the County did not receive more proposals from additional vendors for all the of the zones specified in the RFP, including the Zone. The County found that the RFP was not, for example, unduly restrictive in its specifications or insufficiently advertised. Rather, the County found that there simply is not additional competition available in the marketplace, as there is a finite number of entities that are willing and able to provide the solicited work. Notably, the County encountered the same situation in 2014, in the first RFP it issued for Emergency Housing Assistance Program services. Therefore, DSS proceeded to review the proposals it received in response to the RFP.

For the Zone, DSS analyzed the costs in the sole proposal in order to ensure that they were reasonable. DSS has found that the costs that ultimately comprised the not-to-exceed amount specified above for Westhab for the Zone are reasonable.

Based on DSS's review of the proposal from Westhab for the Zone, DSS is satisfied that it is a responsible vendor for these services.

The proposed Agreement will serve a public purpose by providing the County with an Emergency Housing Assistance Program for the Zone for customers deemed eligible for temporary housing assistance by DSS.

The goal and objective of the proposed Agreement is to provide the County with an Emergency Housing Assistance Program for the Zone for customers deemed eligible for temporary housing assistance by DSS.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of public health and safety, as the County having an Emergency Housing Assistance Program for the Zone for customers deemed eligible for temporary housing assistance by DSS will ultimately help ensure the health and safety of such persons.

The goals and objectives of the proposed Agreement will be tracked and monitored by the staff of DSS.

I respectfully recommend the adoption of the attached Resolution.

KMM/BG/bdm/nn

RESOLUTION

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

RESOLVED, that the County of Westchester (the “County”), acting by and through its Department of Social Services (“DSS”), is hereby authorized to enter into an agreement (the “Agreement”) with Westhab, Inc. (“Westhab”), pursuant to which Westhab will provide the Yonkers City School District zone (the “Zone”) with an Emergency Housing Assistance Program, consisting of the provision of Emergency Housing Units and related housing services to customers deemed eligible for temporary housing assistance by DSS, for an amount not-to-exceed \$3,993,000.00, for the period from January 1, 2017 through December 31, 2017 (the “Initial Term”), with the County having the sole option to extend the term for up to four (4) additional one (1) year periods (each an “Option Term”); and be it further

RESOLVED, that under the Agreement, each Option Term shall be for the respective not-to-exceed amount specified below and otherwise on the same terms as the Initial Term of the Agreement:

	Not-To-Exceed Amounts			
1/1/18-12/31/18	1/1/19-12/31/19	1/1/20-12/31/20	1/1/21-12/31/21	
Option #1	Option #2	Option #3	Option #4	
\$4,092,824	\$4,395,143	\$4,300,022	\$4,407,524	

; and be it further

RESOLVED, that this Agreement is subject to County appropriations; 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 hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2017	101	22	8900	5850	-----	\$2,956,566
2017	101	22	8900	5860	-----	\$1,036,434

Budget Funding Year(s): 2017 Start Date: 01/01/17 End Date: 12/31/17
(must match resolution)

		<u>5850</u>	<u>5860</u>
Funding Source	Tax Dollars:	1%	71%
	State Aid:	0%	29%
<u>\$3,993,000</u>	Federal Aid:	99%	0%
(must match resolution)	Other:		

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/29/2017 - LISA MARIJA SECRETARY