

George Latimer  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

**66514**

DATE: December 5, 2018

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to exercise the County’s second one-year option under its agreement with each of three (3) vendors, pursuant to each of which each vendor was to provide one (1) specified zone with an Emergency Housing Assistance Program.

By resolutions approved on January 26, 2017 and March 2, 2017 your Honorable Board, collectively, authorized the County of Westchester (the “County”), acting by and through its Department of Social Services (“DSS”), to enter into a total of three (3) agreements, as specified below, (the “Original Agreements”, collectively; the “Westhab Agreement”, the “CHI Agreement”, and the “IFCA Agreement”, respectively) pursuant to each of which the vendor specified below was to provide the zone specified below (each a “Zone”) with an Emergency Housing Assistance Program, consisting of the provision of Emergency Housing Units and related housing service to customers deemed eligible for temporary housing assistance by DSS, for the not-to-exceed amount specified below, 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”):

Vendor	Zone	<u>Not-To-Exceed Amount</u> 1/1/17-12/31/17 – Initial Term
1.) Westhab, Inc. (“Westhab”)	Yonkers City School District	\$3,993,000.00
2.) Community Housing Innovations, Inc. (“CHI”)	Mount Vernon City School District and New Rochelle City School District	\$2,213,867.00
3.) Interfaith Council For Action, Inc. (“IFCA”)	Peekskill City School District and Hendrick Hudson Central School District	\$ 527,392.00
TOTAL:		\$6,734,259.00

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

Vendor	Zone	Not-To-Exceed Amounts	
		1/1/18-12/31/18	1/1/19-12/13/19
1.) Westhab	Yonkers City SD	\$4,092,824.00	\$4,195,143.00
2.) CHI	Mount Vernon & New Rochelle City SDs	\$2,303,208.00	\$2,361,211.00
3.) IFCA	Peekskill City SD & Hendrick Hudson Central SD	\$ 526,694.00	\$ 540,786.00

  

Vendor	Zone	1/1/20-12/31/20	1/1/21-12/13/21
		Option #3	Option #4
1.) Westhab	Yonkers City SD	\$4,300,022.00	\$4,407,524.00
2.) CHI	Mount Vernon & New Rochelle City SDs	\$2,407,948.00	\$2,469,370.00
3.) IFCA	Peekskill City SD & Hendrick Hudson Central SD	\$ 548,688.00	\$ 564,320.00

Each of the Original Agreements was subsequently executed.

By a resolution approved on August 24, 2017, your Honorable Board authorized the County to amend the CHI Agreement, in accordance with the existing terms of the CHI Agreement regarding changing capacity requirements of the County for the applicable Zone during the term of the agreement, (the “CHI Capacity Amendment”) by, 1.) modifying its scope of services to require ten (10) additional emergency housing units in the Zone, consisting of eight (8) additional Units in the Mount Vernon School District part of the Zone and two (2) additional Units in the New Rochelle School District part of the Zone, 2.) increasing its specified annual not-to-exceed amounts, as specified below, to account for the costs of these additional services, and 3.) modifying its specified annual budgets to account for and specify the costs of these additional services:

Term	Original Amount		New Amount
	Not-To-Exceed	Increase	Not-To-Exceed
1.) Initial Term (1/1/17 - 12/31/17)	\$2,213,867.00	\$229,062.00	\$2,442,929.00
2.) Option Term #1 (1/1/18 - 12/31/18)	\$2,303,208.00	\$272,721.00	\$2,575,929.00
3.) Option Term #2 (1/1/19 - 12/31/19)	\$2,361,211.00	\$293,972.00	\$2,655,183.00
4.) Option Term #3 (1/1/20 - 12/31/20)	\$2,407,948.00	\$324,712.00	\$2,732,660.00
5.) Option Term #4 (1/1/21 - 12/31/21)	\$2,469,370.00	\$345,650.00	\$2,815,020.00

The CHI Capacity Amendment was subsequently executed.

By a resolution approved on March 8, 2018, your Honorable Board authorized the County to exercise its first one-year option under the Westhab Agreement; the CHI Agreement, as amended by the CHI Capacity Amendment (the “CHI Amended Agreement”); and the IFCA Agreement (collectively, the “Then-Current Agreements”) and therefore amend each of the Then-Current Agreements by, 1.) extending its term by one (1) year, to a new termination date of December 31, 2018; 2.) increasing its not-to-exceed amount by the amount shown below, to the new total amount shown below, to pay for services during the first Option Term, which would be payable as specified in each of the Then Current Agreements for the first Option Term; and 3.) reflecting the fact that the County would have three (3) one (1) year options remaining under each of the Then-Current Agreements (collectively, the “First Option Amendments”):

<u>Agreement</u>	<u>Increase in Not-To-Exceed Amount for the first Option Term</u>	<u>New Total Not-To-Exceed Amount</u>
1.) Westhab Agreement	\$4,092,824.00	\$8,085,824.00
2.) CHI Amended Agreement	\$2,575,929.00	\$5,018,858.00
3.) IFCA Agreement	\$ 526,694.00	\$1,054,086.00

Each of the First Option Amendments was subsequently executed.

By a resolution approved on August 30, 2018, your Honorable Board authorized the County to amend the IFCA Agreement, as amended as part of the First Option Amendments, in accordance with the existing terms of the IFCA Agreement, as amended, regarding changing capacity requirements of the County for the applicable Zone during the term of the agreement, (the "IFCA Capacity Amendment") by, 1.) modifying the agreement's scope of services to require six (6) additional emergency housing units in the Zone, all of which will be in the Peekskill School District part of the Zone, 2.) increasing the agreement's specified annual not-to-exceed amounts, as specified below, to account for the costs of these additional services during the remaining portion of the first Option Term and during the future Option Terms provided for under the agreement, and 3.) modifying the agreement's specified annual budgets to account for and specify the costs of these additional services:

<u>Term</u>	<u>Original Amount</u>		<u>New Amount</u>
	<u>Not-To-Exceed</u>	<u>Increase</u>	<u>Not-To-Exceed</u>
1.) Option Term #1 (1/1/18 - 12/31/18)	\$526,694.00	\$142,281.00	\$668,975.00
2.) Option Term #2 (1/1/19 - 12/31/19)	\$540,786.00	\$311,953.00	\$852,739.00
3.) Option Term #3 (1/1/20 - 12/31/20)	\$548,688.00	\$332,310.00	\$880,998.00
4.) Option Term #4 (1/1/21 - 12/31/21)	\$564,320.00	\$342,633.00	\$906,953.00

The IFCA Capacity Amendment was subsequently executed.

The County continues to require an Emergency Housing Assistance Program, as described above, in each Zone specified above. Therefore, DSS reviewed and analyzed the costs in each of the Westhab Agreement, as amended as part of the First Option Amendments; the CHI Agreement, as amended by the CHI Capacity Amendment and as amended as part of the First Option Amendments; and the IFCA Agreement, as amended as part of the First Option Amendments (collectively, the "Current Agreements") for the second Option Term of each of the Current Agreements, in order to ensure that they were reasonable. As part of that analysis, DSS analyzed both the costs of the housing units and the costs of the related housing services provided under each of the Current Agreements.

DSS determined that the average cost for each housing unit in 2019 under each of the Current Agreements is roughly in line with the \$1,463.00 "Fair Market Rent" published by the United States Department of Housing and Urban Development for a one bedroom unit in Westchester County in 2019.

DSS found that the average cost of the related housing services per housing unit in 2019 under each of the Current Agreements is higher than most other DSS contracts that involve

broadly similar services, but that the costs are reasonable given the particular services involved in the Current Agreements.

Accordingly, DSS's overall analysis found that the costs comprising the not-to-exceed amount specified above for the second Option Term of each of the Current Agreements are reasonable.

Accordingly, the County respectfully requests authority from your Honorable Board to exercise its second one-year option under each of the Current Agreements and therefore amend each of the Current Agreements by, 1.) extending its term by one (1) year, to a new termination date of December 31, 2019; 2.) increasing its not-to-exceed amount by the amount shown below, to the new total amount shown below, to pay for services during the second Option Term, which will be payable as specified in each of the Current Agreements for the second Option Term; and 3.) reflecting the fact that the County will have two (2) one (1) year options remaining under each of the Current Agreements (collectively, the "Second Option Amendments"):

<u>Agreement</u>	<u>Increase in Not-To-Exceed Amount for the second Option Term</u>	<u>New Total Not-To-Exceed Amount</u>
1.) Westhab Agreement	\$4,195,143.00	\$12,280,967.00
2.) CHI Amended Agreement	\$2,655,183.00	\$ 7,674,041.00
3.) IFCA Agreement	\$ 852,739.00	\$ 2,049,106.00

Except as specifically described above, all terms and conditions of each of the Current Agreements shall remain in full force and effect.

The proposed Second Option Amendments will serve a public purpose by continuing to provide the County with an Emergency Housing Assistance Program for each Zone for customers deemed eligible for temporary housing assistance by DSS.

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

The goal and objective of the proposed Second Option Amendments is in the best interests of the County in terms of public health and safety, as the County continuing to have an Emergency Housing Assistance Program for each 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 Second Option Amendments 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 exercise its second one-year option under each of three (3) agreements, as specified below, pursuant to each of which the vendor specified below was to provide the zone specified below (each a “Zone”) with an Emergency Housing Assistance Program, consisting of the provision of Emergency Housing Units and related housing service to customers deemed eligible for temporary housing assistance by DSS, for the not-to-exceed amount specified below, for the period from January 1, 2017 through December 31, 2018, with the County having the sole option to extend the term for up to three (3) additional one (1) year periods (each an “Option Term”), with each Option Term being for the respective not-to-exceed amount specified below and otherwise on the same terms as the initial term and first Option Term for each of the agreements:

Agreement with Westhab, Inc. for the Yonkers City School District Zone (the “Westhab Agreement”):

<u>Term</u>	<u>Not-To-Exceed Amount</u>
1.) Initial Term (1/1/17 - 12/31/17)	\$3,993,000.00
2.) Option Term #1 (1/1/18 - 12/31/18)	\$4,092,824.00
3.) Option Term #2 (1/1/19 - 12/31/19)	\$4,195,143.00
4.) Option Term #3 (1/1/20 - 12/31/20)	\$4,300,022.00
5.) Option Term #4 (1/1/21 - 12/31/21)	\$4,407,524.00

Agreement with Community Housing Innovations, Inc. for the Mount Vernon City School District and New Rochelle City School District Zone (the “CHI Agreement”):

<u>Term</u>	<u>Not-To-Exceed Amount</u>
1.) Initial Term (1/1/17 - 12/31/17)	\$2,442,929.00
2.) Option Term #1 (1/1/18 - 12/31/18)	\$2,575,929.00
3.) Option Term #2 (1/1/19 - 12/31/19)	\$2,655,183.00
4.) Option Term #3 (1/1/20 - 12/31/20)	\$2,732,660.00
5.) Option Term #4 (1/1/21 - 12/31/21)	\$2,815,020.00

Agreement with Interfaith Council For Action, Inc. for the Peekskill City School District and Hendrick Hudson Central School District Zone (the “IFCA Agreement”):

<u>Term</u>	<u>Not-To-Exceed Amount</u>
1.) Initial Term (1/1/17 - 12/31/17)	\$527,392.00
2.) Option Term #1 (1/1/18 - 12/31/18)	\$668,975.00
3.) Option Term #2 (1/1/19 - 12/31/19)	\$852,739.00
4.) Option Term #3 (1/1/20 - 12/31/20)	\$880,998.00
5.) Option Term #4 (1/1/21 - 12/31/21)	\$906,953.00

(collectively, the “Current Agreements”), and therefore amend each of the Current Agreements by, 1.) extending the term of each of the Current Agreements by one (1) year, to a new termination date of December 31, 2019; 2.) increasing the not-to-exceed amount of each of the Current Agreements by the amount shown below, to the new total amount shown below, to pay for services during the second Option Term, which will be payable as specified in each of the

Current Agreements for each second Option Term; and 3.) reflecting the fact that the County will have two (2) one (1) year options remaining under each of the Current Agreements.

Agreement	Increase in Not-To-Exceed Amount for the second Option Term	New Total Not-To-Exceed Amount
1.) Westhab Agreement	\$4,195,143.00	\$12,280,967.00
2.) CHI Agreement	\$2,655,183.00	\$ 7,674,041.00
3.) IFCA Agreement	\$ 852,739.00	\$ 2,049,106.00

; and be it further

**RESOLVED**, that except as specifically amended hereby, all terms and conditions of each of the Current Agreements shall remain in full force and effect; 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
2019	101	22	8900	5850	-----	\$5,260,149
2019	101	22	8900	5860	-----	\$2,442,916

Budget Funding Year(s): 2019 Start Date: 01/01/19 End Date: 12/31/19

		<u>5860</u>	<u>5850</u>
Funding Source	Tax Dollars:	71%	1%
<u>\$7,703,065.00</u>	State Aid:	29%	0%
(must match resolution)	Federal Aid:	0%	99%
	Other:		