



George M. Latimer  
County Executive

Department of Social Services  
Kevin M. McGuire  
Commissioner

67963

DATE: January 9, 2019

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire  
Commissioner

SUBJECT: Authority for the County of Westchester to exercise a portion of its third and final option under an agreement with Westhab, Inc. (“Westhab”), pursuant to which Westhab agreed to provide Job Development Services to adult recipients of Temporary Assistance, as well as assist the County in conducting a Job Search Assistance Strategies Evaluation (“JSA”) study, by extending the term of the contract for three (3) additional months from April 1, 2019 through June 30, 2019, for a total aggregate amount not to exceed \$274,300, payable pursuant to an approved budget and subject to appropriation.

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Pursuant to an RFP issued by the Department on February 4, 2016 and a Resolution approved by your Honorable Board on April 7, 2016 (the “April 7<sup>th</sup> Resolution”), your Honorable Board authorized the County of Westchester (the “County”), acting by and through its Department of Social Services, Office of Work Activities (the “Department”) to enter into an agreement with Westhab pursuant to which Westhab would provide Job Development Services to adult recipients (age 19 and over) of Temporary Assistance (“TA”), for the period from April 1, 2016 through March 31, 2017 for a total amount not to exceed \$1,097,200, comprised of an amount not-to-exceed \$997,200 payable monthly in accordance with an approved budget and an amount not-to-exceed \$100,000, payable at an approved rate upon the Contractor achieving certain job retention milestones and subject to appropriation (the “Agreement”). The April 7<sup>th</sup> resolution further provided that the County, at its sole option, could renew the Agreement for up to three (3) additional one (1) year periods on the same terms and conditions, including pricing, as the initial term, subject to the further approval of your Honorable Board. The Agreement was subsequently executed.

Thereafter, by resolution approved on August 25, 2016 (the “August 25<sup>th</sup> Resolution”), your Honorable Board authorized the County, *inter alia*, to amend the

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Agreement with Westhab in order to 1) expand the scope of services thereunder to include providing assistance to the County with the JSA study, effective September 1, 2016, and 2) require Westhab to comply with certain confidentiality requirements in connection with the services it would be providing under the JSA study (the "First Amendment"). The First Amendment was subsequently executed.

Thereafter, by resolution approved on May 18, 2017, your Honorable Board authorized the County to exercise the first of its three (3) options to renew the Agreement with Westhab, as previously amended, for the period from April 1, 2017 through March 31, 2018 for an amount not to exceed \$1,097,200, comprised of an amount not-to-exceed \$997,200 payable monthly in accordance with an approved budget and an amount not-to-exceed \$100,000, payable at an approved rate upon Westhab achieving certain job retention milestones and subject to appropriation (the "Second Amendment"). The Second Amendment was subsequently executed.

Thereafter, by resolution approved on May 31, 2018, your Honorable Board authorized the County to exercise the second of its three (3) options to renew the Agreement with Westhab, as previously amended, for the period from April 1, 2018 through March 31, 2019 for an amount not to exceed \$1,097,200, comprised of an amount not-to-exceed \$997,200 payable monthly in accordance with an approved budget and an amount not-to-exceed \$100,000, payable at an approved rate upon Westhab achieving certain job retention milestones and subject to appropriation (the "Third Amendment"). The Third Amendment was subsequently executed.

The County now seeks authority to exercise a portion of its third and final option to renew the Agreement with Westhab for the period from April 1, 2019 through June 30, 2019. The reason the County will only be exercising a portion of its one year renewal option is because auditors from New York State have expressed concern about Westhab's lackluster performance under this contract. Westhab's performance measurement indicators ("PMIs") are below the State's expectations. As such, the Department will be issuing a new RFP to procure a new vendor for this service for the period from July 1, 2019 through March 31, 2020. In the meantime, Westhab will continue to operate the program through June 30, 2019. Accordingly, authority is respectfully requested for the County to exercise a portion of its third and final option to renew the Agreement with Westhab for the provision of Job Development Services to adult recipients of Temporary Assistance, by extending the term of thereof for three (3) additional months commencing on April 1, 2019 and continuing through June 30, 2019. In consideration for services to be rendered during the renewal term, the County shall pay Westhab a total aggregate amount not to exceed \$274,300, comprised of an amount not-to-exceed \$246,870 payable monthly in accordance with an approved budget and an amount not-to-exceed \$27,430, payable at an approved rate upon Westhab achieving certain job retention milestones and subject to appropriation. It should be noted that the JSA study was completed in the latter part of 2017.

It should be further noted that the County, acting by and through the Department, and in accordance with the applicable Federal regulations, performed a cost analysis of the costs for the County's third renewal option under the Agreement. After analyzing current marketplace costs for such services, the Department concluded that the costs of the option are reasonable and it is, therefore, economically prudent to exercise the County's third option under the Agreement in order to obtain these services for the period from April 1, 2019 through June 30, 2019.

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

**The Agreement will serve a public purpose** by helping Temporary Assistance recipients gain employment and ultimately achieve self-sufficiency. The proposed agreement will also assist the Department in placing customers in unsubsidized employment which will eliminate their need for assistance, thereby saving County funds.

**The goals and objectives of this program** are to improve the job placement rate and long term labor market prospects of adult TA recipients by providing customers with intensive job readiness, work experience, and job placement/retention services. The ultimate goal is for the customer to achieve self-sufficiency and freedom from welfare dependency.

**The goals and objectives are in the best interest of the County in terms of fiscal responsibility** in that the cultivation of these goals and objectives will result in an effective planning approach for adult TA recipients with the potential to achieve self-sufficiency through a work activity appropriate to their specific circumstance and needs.

**The goals and objectives will be tracked and monitored** using the performance measurement indicators developed by the Department. The consultant is required to submit to the Department statistical reports on all activities related to the program..

Accordingly, I most respectfully recommend the adoption of the annexed Resolution.

KMM/KK/PE/jpg  
Attachment

**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, Office of Work Activities, is hereby authorized to exercise a portion of its third and final option to renew an agreement with Westhab, Inc. ("Westhab"), pursuant to which Westhab agreed to provide Job Development Services to adult recipients of Temporary Assistance, as well as assist the County in conducting a Job Search Assistance Strategies Evaluation ("JSA") study, noting that the JSA study was completed in the latter part of 2017, by extending the term thereof for three (3) additional months from April 1, 2019 through June 30, 2019 for a total aggregate amount not to exceed \$274,300, comprised of an amount not-to-exceed \$246,870 payable monthly in accordance with an approved budget, and an amount not-to-exceed \$27,430, payable at an approved rate upon Westhab achieving certain job retention milestones and subject to appropriation; and be it further

**RESOLVED**, that except as specifically amended hereby, all remaining terms and conditions of the Agreement with Westhab, as previously amended, shall remain in full force and effect upon the parties; 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
263	22	708U	4380	T708	\$137,150
101	22	8900	5860	-----	\$137,150

Budget Funding Year(s):2019  
(must match resolution)

Start Date: 04/01/2019

End Date: 06/30/2019

Funding Source	Tax Dollars: 71%	<u>5860</u>	<u>T708</u>
	State Aid: 29%		
	Federal Aid: 0%	100%	
	Other:		

274,300  
(must match resolution)

APPROVED BOARD OF ACCOUNTANTS & COUNTY CLERK LISA MARIJAJ, SECRETARY