



George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

72696

DATE: November 8, 2019

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to exercise the County's first one-year option under its agreement with The Sharing Community, Inc. ("TSC"), pursuant to which agreement, a.) TSC was to provide services to operate single room occupancy residences, double room occupancy residences, and an emergency overnight drop-in shelter for single individuals, at 101 North Broadway, Yonkers, New York, and b.) the County was to sublease 101 North Broadway, Yonkers, New York to TSC to facilitate TSC's provision of said services.

By a resolution approved on February 14, 2019, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement (the "Agreement") with The Sharing Community, Inc. ("TSC"), for the period from January 1, 2019 through December 31, 2019 (the "Initial Term"), with the County having the sole option to extend the term for up to four (4) one (1) year terms thereafter (each an "Option Term") on the same terms except for costs, as specified below, pursuant to which Agreement, a.) TSC was to provide services (the "Services") to operate single room occupancy residences ("SROs"), double room occupancy residences ("DROs"), and an emergency overnight drop-in shelter for single individuals, at 101 North Broadway, Yonkers, New York (the "Premises"), for an amount not-to-exceed \$650,000.00 for the Initial Term, and for the following not-to-exceed amounts for each of the Option Terms:

First Option Term (1/1/20 – 12/31/20):	\$677,750.00
Second Option Term (1/1/21 – 12/31/21):	\$705,970.00
Third Option Term (1/1/22 – 12/31/22):	\$734,945.00
Fourth Option Term (1/1/23 – 12/31/23):	\$762,995.00

all of which will be payable pursuant to an approved budget; and b.) the County was to sublease the Premises to TSC to facilitate TSC's provision of the Services, subject to the terms of the County's lease for the Premises (the "County's Lease"), including, without limitation, the County's receipt of the consent of the owner of the Premises, the County will sublease the Premises to TSC to facilitate TSC's provision of the Services. The County received the above-mentioned consent of the owner of the Premises and subsequently executed the Agreement.

The County continues to require the Services. Accordingly, the County respectfully requests authority from your Honorable Board to exercise its first one-year option under the Agreement and therefore amend the Agreement by, 1.) extending the term thereof by one (1) year, through the First Option Term, to a new termination date of December 31, 2020; 2.) increasing the not-to-exceed amount thereof by \$677,750.00, from an amount not-to-exceed \$650,000.00 to a new not-to-exceed amount of \$1,327,750.00, to pay for the services during the First Option Term, and payable as specified in the Agreement for the First Option Term; and 3.) reflecting the fact that the County will have three (3) remaining one (1) year options under the Agreement, as amended (the "First Amendment").

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

The proposed First Amendment will serve a public purpose by enabling the County to continue to both provide a safe, supervised place to sleep at night for homeless individuals who are outside the County's shelter system and might otherwise be forced to sleep in public places, and also provide longer-term SROs and DROs for persons in need of such shelter who meet the applicable requirements for occupancy.

The goal and objective of the proposed First Amendment is to enable the County to continue to both provide a safe, supervised place to sleep at night for homeless individuals who are outside the County's shelter system and might otherwise be forced to sleep in public places, and also provide longer-term SROs and DROs for persons in need of such shelter who meet the applicable requirements for occupancy.

The goal and objective of the proposed First Amendment is in the best interests of the County in terms of health and safety, as enabling the County to continue to both provide a safe, supervised place to sleep at night for homeless individuals who are outside the County's shelter system and might otherwise be forced to sleep in public places, and also provide longer-term SROs and DROs for persons in need of such shelter who meet the applicable requirements for occupancy, will ultimately help ensure the health and safety of such persons.

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

I respectfully recommend approval of the attached resolution.

KMM/DK/bdm/nn

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 exercise its first one-year option under its agreement with The Sharing Community, Inc. ("TSC"), for the period from January 1, 2019 through December 31, 2019 (the "Initial Term"), with the County having the sole option to extend the term for up to four (4) one (1) year terms thereafter (each an "Option Term") on the same terms except for costs, as specified below, pursuant to which agreement, a.) TSC was to provide services (the "Services") to operate single room occupancy residences, double room occupancy residences, and an emergency overnight drop-in shelter for single individuals, at 101 North Broadway, Yonkers, New York (the "Premises"), for an amount not-to-exceed \$650,000.00 for the Initial Term, and for the following not-to-exceed amounts for each of the Option Terms:

First Option Term (1/1/20 – 12/31/20):	\$677,750.00
Second Option Term (1/1/21 – 12/31/21):	\$705,970.00
Third Option Term (1/1/22 – 12/31/22):	\$734,945.00
Fourth Option Term (1/1/23 – 12/31/23):	\$762,995.00

all of which will be payable pursuant to an approved budget; and b.) subject to the terms of the County's lease for the Premises, including, without limitation, the County's receipt of the consent of the owner of the Premises, the County was to sublease the Premises to TSC to facilitate TSC's provision of the Services (the "Agreement"), and therefore amend the Agreement by, 1.) extending the term thereof by one (1) year, through the First Option Term, to a new termination date of December 31, 2020; 2.) increasing the not-to-exceed amount thereof by \$677,750.00, from an amount not-to-exceed \$650,000.00 to a new not-to-exceed amount of \$1,327,750.00, to pay for the services during the First Option Term, and payable as specified in the Agreement for the First Option Term; and 3.) reflecting the fact that the County will have three (3) remaining one (1) year options under the Agreement, as amended (the "First Amendment"); and be it further

RESOLVED, that except as specifically hereby authorized to be amended, 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 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
101	22	8900	5860	-----	\$677,750

Budget Funding Year(s): 2020 Start Date: 01/01/20 End Date: 12/31/20
 (must match resolution)

Funding Source Tax Dollars: 71%
 State Aid: 29%
\$677,750.00 Federal Aid: 0%
 (must match resolution) Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/19/2019 - JISA MRJ/KH SECRETARY