



George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

73099

DATE: December 4, 2019

TO: Board of Acquisition and Contract

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

RE: Authority to exercise the County's first option under its agreement with New York State Industries for the Disabled, Inc., pursuant to which it was to provide temporary office personnel for the Department of Social Services for various job descriptions at locations throughout Westchester County.

By a resolution approved on January 3, 2019, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Social Services ("DSS"), to enter into an agreement (the "Agreement") with New York State Industries for the Disabled, Inc. ("NYSID"), pursuant to which NYSID was to provide temporary office personnel for the Department of Social Services for various job descriptions at locations throughout Westchester County (the "Services"), for a term commencing on January 1, 2019 and continuing through December 31, 2019 (the "Initial Term"), with the County having the sole option to extend the term by up to two (2) additional one (1) year periods thereafter (the "Option Terms"). Under the Agreement, NYSID was to be paid an initial total amount not-to-exceed \$200,000 during the Initial Term and an initial not-to-exceed amount of \$200,000 for each of the Option Terms. Under the Agreement, NYSID was authorized to utilize Goodwill Industries of Greater New York and Northern New Jersey, Inc., a NYSID member preferred source agency serving disabled persons that does business as GoodTemps, ("GoodTemps") for all of the Services to be provided under the Agreement. The Agreement was subsequently executed.

Pursuant to New York State Finance Law §162 ("State Finance Law §162"), the procurement of certain commodities and services is exempted from competitive procurement provisions and the County is required to give designated preferred sources an opportunity to provide those commodities or services. Among the services subject to this exemption is the Services, for which NYSID is the only preferred source.

Therefore, the County procured the Agreement in accordance with the requirements of State Finance Law §162. As part of that process, the New York State Office of General Services (“OGS”) evaluated the pricing offered by NYSID for the Agreement. OGS found the pricing “reasonable” and provided its approval, which allowed the County to execute the Agreement, as noted above.

Since the County continues to require the Services, it can now only either, a.) exercise its first one-year option under the Agreement, or b.) conduct a new preferred-source procurement in which, in accordance with State Finance Law §162 as noted above, only NYSID can initially be solicited.

In light of all of the foregoing, the County respectfully requests authority from your Honorable Board to exercise its first one-year option under the Agreement and amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of December 31, 2020; 2.) increasing the not-to-exceed amount of the Agreement by \$200,000.00, to a new total not-to-exceed amount of \$400,000.00, to pay for the Services during the first Option Term; and 3.) reflecting the fact that the County will have one (1) remaining one (1) year option under the Agreement (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 providing DSS, for an additional year, with the temporary office personnel it needs in order to perform various departmental functions.

The goal and objective of the proposed First Amendment is to provide DSS, for an additional year, with the temporary office personnel it needs in order to perform various departmental functions.

The goal and objective of the proposed First Amendment is in the best interests of the County in terms of ensuring the public welfare, as providing DSS, for an additional year, with the temporary office personnel it needs in order to perform various departmental functions will facilitate DSS acting to ensure the welfare of the public.

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

I respectfully recommend approval of the attached Resolution.

KMM/VR/bdm/nn

RESOLUTION

Upon a communication from the Commissioner 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 New York State Industries for the Disabled, Inc. (“NYSID”), pursuant to which NYSID was to provide temporary office personnel for the Department of Social Services for various job descriptions at locations throughout Westchester County (the “Services”), for a term commencing on January 1, 2019 and continuing through December 31, 2019 (the “Initial Term”), with the County having the sole option to extend the term by up to two (2) additional one (1) year periods thereafter (the “Option Terms”), under which agreement NYSID was to be paid an initial total amount not-to-exceed \$200,000 for the Initial Term and an initial not-to-exceed amount of \$200,000 for each of the County’s Option Terms, and also under which agreement NYSID was authorized to utilize Goodwill Industries of Greater New York and Northern New Jersey, Inc., which does business as GoodTemps, for all of the Services to be provided, (the “Agreement”) and amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of December 31, 2020; 2.) increasing the not-to-exceed amount of the Agreement by \$200,000.00, to a new total not-to-exceed amount of \$400,000.00, to pay for the Services during the first Option Term; and 3.) reflecting the fact that the County will have one (1) remaining one (1) year option under the Agreement (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

FY	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
2020	101	22	1000	4446	-----	\$200,000

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

Funding Source	Tax Dollars: 40%
<u>\$200,000</u>	State Aid: 22%
(must match resolution)	Federal Aid: 38%
	Other: