



George Latimer
County Executive

Department of Social Services

Kevin McGuire
Commissioner

OnBase # 79420

DATE: September 16, 2020

TO: Board of Acquisition and Contract

FROM: Kevin McGuire
Commissioner, Department of Social Services

SUBJECT: Authority for the County of Westchester to amend an agreement with Feeding Westchester, Inc. to provide emergency food distribution to needy individuals and families, including children and seniors through its non-profit food distribution centers, during the COVID-19 Pandemic, by, 1.) modifying the terms of the original agreement to end on December 30, 2020, 2.) increasing the not-to-exceed amount by \$750,000 for a new total amount not to exceed \$1,250,000, to be paid in accordance with an approved budget.

By resolution approved on May 14, 2020, your Honorable Board authorized the County of Westchester (the “County”) to enter into an agreement with Feeding Westchester, Inc. (“Feeding Westchester”), pursuant to which Feeding Westchester was to provide emergency food distribution through Feeding Westchester’s non-profit food distribution centers, to needy individuals and families, including children and seniors, during the COVID-19 pandemic under the Emergency Food Distribution – Food Acquisition (COVID-19) Program (“Program”), for the period from March 1, 2020 through December 31, 2020 in the amount not to exceed \$500,000.00 (the “Agreement”). The Agreement was subsequently executed.

Accordingly, the County respectfully requests authority from your Honorable Board for the County to amend the Agreement by, 1.) modifying the terms of the original agreement to end on December 30, 2020, 2.) increasing the not-to-exceed amount by \$750,000 for a new total amount not to exceed \$1,250,000, to be paid in accordance with an approved program budget and subject to appropriations. The proposed amendment will provide increased funds to provide emergency food distribution needed during the Covid-19 pandemic. All other terms and conditions of the Agreement will remain in full force and effect.

The public purpose of the proposed amendment is the emergency distribution of food through Feeding Westchester's non-profit food distribution centers (food pantries, soup kitchens, etc.) to needy individuals and families in the community during the COVID-19 pandemic. The purposes of Program under the Agreement targets individuals and households who are typically unable to acquire enough food on their own due to limited incomes, unemployment, and lack of access which have all increased due to the COVID-19 pandemic.

The goal and objective of the proposed amendment is to immediately assist in collecting, storing and distributing food to the needy individuals and families, including children and seniors residing in Westchester. The situation is dire for our neighbors already facing food insecurity. Responding to COVID-19 means the very real danger of lost wages – initial reports show Westchester unemployment rates have more than doubled since February – for individuals and families residing in Westchester. Along with this, our neighbors are having further difficulty accessing enough food, creating an increased reliance on Feeding Westchester and its network of agency partners to fill their food needs. School closures, job disruptions, lack of paid time off, unemployment and the health threat's disproportionate impact on the homeless, the elderly and low-income families are only a few aspects of this evolving crisis.

The Feeding Westchester network is working proactively to prepare for the spread of the coronavirus. With closure of the schools and job sites in Westchester County, along with self-quarantine and other unforeseen circumstances it's much harder for individuals and families with low incomes to provide food for themselves and their families. Providing an emergency supply of food to all the individuals and families in need will be difficult and we will need help from our partners fiscally and for public safety.

The goals and objectives are in the best interests of the County in terms of public health and safety as they are intended to provide emergency food supply to those who are hungry or at risk of hunger during the COVID-19 pandemic.

The goals and objectives are in the best interests of the County in terms of fiscal responsibility because the need for food and reliance on the Feeding Westchester network for food has dramatically increased, due to the COVID-19 pandemic and the resulting economic downturn. People, who are already receiving assistance, including food stamps, may not have sufficient food by the end of the month or even by the end of the week. Some people who have become poor due to the recent economic condition caused by the COVID-19 pandemic may not qualify for any assistance, or may require supplemental food even with the provision of food stamps. The service that the Feeding Westchester provides is aligned with the goals of the Department, which is to assist individuals and families with their basic needs until they can become self-sufficient again. This amendment is aimed at increasing the level of assistance in providing emergency distribution of food to the needy individuals and families during the COVID-19 pandemic.

The goals and objectives of this amendment will be tracked and monitored through performance measurement indicators approved by the Department. They include, but are not limited to, submission of monthly statistics and quarterly reports.

Feeding Westchester gathers data submitted by its 300 member distribution programs but unfortunately, a complete set of unduplicated numbers is not currently available. The majority of data that is collected is duplicated due to clients requiring services more than one time per year/month. Feeding Westchester is building agency capacity and continues to move more partners to collect unduplicated service numbers. During the fiscal year 2019 Feeding Westchester served an average of 141,000 individuals per month. Of those individuals 71,000 were adults, 47,000 children, and 23,000 seniors.

During the 2020 COVID-19 pandemic Feeding Westchester will need more food for distribution; provide food more often, weekly vs. monthly; and more people overall will need Feeding of Westchester services. Feeding Westchester estimates the **following number of people will be served in 2020:**

- Annually, 200,000 people will be served food *each month* in Westchester County by our agencies. (i.e. - annual total 2,400,000 divided by 12 months)
 - Adults will be supplied with food 100,000 times *per month* on average (*with peaks of 150,000 post COVID Outbreak*).
 - Children will be supplied with food 60,000 times *per month* on average (*with peaks of 85,000 post COVID Outbreak*)
 - Elderly will be supplied with food 40,000 times *per month* on average (*with peaks of 50,000 post COVID Outbreak*).

This amendment is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) (xiv). This contract is not subject to the competitive procurement requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (formerly, the Grants Management Common Rule) as there is no federal funding for this program.

Accordingly, authority is requested for the County of Westchester to enter into the proposed amendment with the Feeding Westchester for Westchester to operate the above said program.

A resolution requesting the same is annexed hereto for your Honorable Board's approval.

KMG/DI

RESOLUTION

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

RESOLVED, that the County of Westchester is hereby authorized to amend an agreement with Feeding Westchester, Inc. to provide emergency food distribution, through its network of non-profit food distribution centers, to needy individuals and families, including children and seniors during the COVID-19 pandemic, by, 1.) modifying the terms of the original agreement to end on December 30, 2020, 2.) increasing the not-to-exceed amount by \$750,000 for a new total amount not to exceed \$1,250,000, to be paid in accordance with an approved program budget; and be it further

RESOLVED, that all other terms of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the Agreement is subject to County Appropriations; and be it further

RESOLVED, that the Agreement is also subject to further financial analysis of impact of the 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 adoptions(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 the Agreement or to renegotiate the amount and rate approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then Feeding Westchester shall have the right to terminate the 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 and all documents and to take such other actions necessary to effectuate the purposes hereof.

Original Agreement: \$500,000
 This Amendment: 750,000
 TOTAL \$1,250,000

Account to be
 Charged/Credited

| Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub- Object | Trust Account | Dollars |
|------|------|--|------------------------|------------------|-----------|
| 101 | 22 | 0010 | 4998 | ----- | \$750,000 |
| | | | | | |
| | | | | | |

Budget Funding Year(s): 2020 Start Date: 03/01/2020 End Date: 12/30/2020
 (must match resolution)

Funding Source

\$750,000
 (must match resolution)

Tax Dollars: 100%

State Aid:

Federal Aid:

Other: