

[79631]

DATE: September 22, 2020

TO: Board of Acquisition and Contract

FROM: Michael Orth, M.S.W., Commissioner
Department of Community Mental Health

SUBJECT: Authority to enter into an agreement with Human Development Services of Westchester, Inc., for the provision of its Living Room: Crisis Day Respite Program, for a term commencing on September 1, 2020 and continuing through December 30, 2020, in an amount not-to-exceed \$40,000.00.

Authority is respectfully requested for the County of Westchester (the "County"), acting by and through its Department of Community Mental Health (the "Department"), to enter into an agreement with Human Development Services of Westchester, Inc. ("HDSW"), pursuant to which HDSW will provide its Living Room: Crisis Day Respite Program (the "Living Room"), for a term commencing on September 1, 2020 and continuing through December 30, 2020, in an amount not-to-exceed \$40,000.00, payable pursuant to an approved budget.

In accordance with the proposed agreement, HDSW shall provide its Living Room Program, which is a crisis day respite service located in Mamaroneck, New York. The Living Room will be open 8:30am – 8:30pm 7 days per week including all holidays. The Living Room will support individuals isolated by COVID-19 and help individuals address issues of isolation, loneliness, anxiety, suicidality, household/domestic conflict and increased substance use and fear of seeking medical and other community services.

The goals and objectives of the proposed agreement are for HDSW to serve 15 to 20 individuals per day. The proposed agreement will serve a public purpose and is in the best interest of the County since the Living Room is the only such program providing respite and support services, both face-to-face and virtually that is open to all Westchester residents, 18 year or older, who are experiencing a behavioral health challenge that can be met in a community-based, non-institutional setting and that does not discriminate based on ability to pay or insurance. This is especially important today since the COVID-19 pandemic has had a significant impact on the mental health of County residents, including individuals experiencing increased anxiety, depression, isolation, and alcohol and/or substance misuse.

The goals and objectives of the proposed agreement will be tracked and monitored by the staff of the Department of Community Mental Health.

The proposed agreement is being funded with funds provided to the County under the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"). The United States Treasury Department has advised that funding provided under the CARES Act is not subject to the Federal procurement rules in 2 CFR Part 200.317 through Part 200.326. Therefore, pursuant to Section 13(d) of the Westchester County Procurement Policy, the ordinary County procurement rules apply to this procurement. It should be noted that the procurement of the proposed agreement is exempt from the Westchester County Procurement Policy pursuant to section 3(a)xvii thereof, which exempts procurements to provide care, treatment, counseling, referral or rehabilitative or preventative services to the mentally ill, developmentally disabled and those suffering from the disease of alcoholism or substance abuse.

Therefore, I recommend your favorable consideration of the annexed proposed Resolution.

MO/TP/JPI

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/21/2020 - USM/MAJ, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Community Mental Health, be it hereby:

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Community Mental Health, is hereby authorized to enter into an agreement with Human Development Services of Westchester, Inc., for the provision of its Living Room: Crisis Day Respite Program, for a term commencing on September 1, 2020 and continuing through December 30, 2020, in an amount not-to-exceed \$40,000.00, payable pursuant to an approved budget; and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any 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 adoption(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 this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute all instruments and to take any and all actions necessary to effectuate the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	26	2000	4998		40,000

Budget Funding Year(s) 2020 Start Date 9/1/2020 End Date 12/30/2020
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
 Federal Aid \$40,000 _____
 Other _____
\$ 40,000
 (must match resolution)