



George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

OnBase: 80959

DATE: November 24, 2020

TO: Board of Acquisition and Contract

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

SUBJECT: Authority for the County of Westchester to exercise its fourth option pursuant to the agreement with Westchester Community Opportunity Program, Inc., to operate an Emergency Overnight Shelter for single adult men and women at 19 Washington Avenue, New Rochelle, New York by extending the contract for one (1) additional year commencing on January 1, 2021 and terminating on December 31, 2021 in an amount not to exceed \$441,374 to be paid monthly.

Pursuant to an RFP issued by the Department on October 7, 2016, and a Resolution approved by your Honorable Board on December 29, 2016, the County of Westchester (the "County") entered into an agreement with Westchester Community Opportunity Program, Inc. to operate an Emergency Overnight Shelter for single adult men and women at 19 Washington Avenue, New Rochelle, New York (the "Facility"), in an amount not-to-exceed \$441,374, payable pursuant to an approved budget, for the period from January 1, 2017 through December 31, 2017 (the "Initial Term"), with the County having the sole option to extend the term for up to four one-year periods thereafter (each an "Option Term") at the annual rate of \$441,374 for each of the one-year Option Terms through December 31, 2021.

By a resolution approved on January 18, 2018, your Honorable Board authorized the County to exercise its first one-year option pursuant to the agreement with Westchester Community Opportunity Program, Inc. and amend the agreement by: 1) extending the term thereof for one additional year commencing on January 1, 2018 and terminating on December 31, 2018; and 2) increasing the not to exceed amount of the agreement by 441,374 to a new total amount not to exceed \$882,748 to pay for the services during the first option year with the County having the sole option to extend the term for up to three (3) one-year periods thereafter.

By a resolution approved on January 3, 2019, your Honorable Board authorized the County to exercise its second one-year option pursuant to the agreement with Westchester Community Opportunity Program, Inc. and amend the agreement by: 1) extending the term thereof for one additional year commencing on January 1, 2019 and terminating on December 31, 2019; and 2) increasing the not to exceed amount of the agreement by 441,374 to a new total amount not to exceed \$1,324,122 to pay for the services during the second option year with the County having the sole option to extend the term for up to two (2) one-year periods thereafter.

By a resolution approved on August 22, 2019, your Honorable Board authorized the County to amend the agreement with Westchester Community Opportunity Program, Inc. ("WestCOP") in order to reimburse WestCOP for additional day time operating expenses incurred from the term January 1, 2018 through December 31, 2018 by increasing the amount not to exceed by \$71,604 from the not to exceed \$441,374, to a new total not to exceed \$1,395,726.

By a resolution approved on December 19, 2019, your Honorable Board authorized the County to exercise its third one-year option pursuant to the agreement with Westchester Community Opportunity Program, Inc. and amend the agreement by: 1) extending the term thereof for one additional year commencing on January 1, 2020 and terminating on December 31, 2020; and 2) increasing the not to exceed amount of the agreement by 441,374 to a new total amount not to exceed \$1,837,100 to pay for the services during the second option year with the County having the sole option to extend the term for up to one additional one-year periods thereafter.

The County of Westchester, acting through its Department of Social Services, now seeks authority to exercise the fourth option and last option pursuant to the agreement with Westchester Community Opportunity Program, Inc. and amend the agreement by: 1) by extending the term thereof for one additional year commencing on January 1, 2021 and terminating on December 31, 2021; and 2) increasing the not to exceed amount of the agreement by 441,374 to a new total amount not to exceed \$2,278,474 to pay for the services during the fourth and final option year.

The proposed Agreement will serve the public purpose of providing a safe, sanitary, warm, dry place for people who are not housed and do not currently participate in the formal County shelter system. The individuals to be served by the emergency shelter are in need of housing, and may have been disqualified from a public assistance program for failing to comply with a rule, procedure or regulation or are otherwise ineligible for DSS benefits.

The goal and objective of the proposed Agreement are met through the provision of services necessary to operate a single adult emergency overnight shelter in the Mount Vernon/New Rochelle area of Westchester County.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of public health and safety, as the County having the services necessary to operate a single adult emergency overnight shelter in the Mount Vernon/New Rochelle area of Westchester County will ensure the health and safety of single adults who seek emergency overnight shelter.

The goals and objectives of the proposed Agreement will be tracked and monitored by DSS. In 2020, Westchester Community Opportunity Program provided emergency overnight shelter services to 384 individuals.

Except as specifically amended hereby, all other terms and conditions of the original agreement shall remain in full force and effect.

I respectfully recommend the adoption of the attached Resolution.

KMM/DI

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/10/2020 - USA MRBAJ, SECRETARY

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 fourth and last option pursuant to the agreement with Westchester Community Opportunity Program, Inc., to operate an Emergency Overnight Shelter for single adult men and women at 19 Washington Avenue, New Rochelle, New York (the "Agreement") and amend the Agreement by: 1) extending the contract for one additional year commencing on January 1, 2021 and terminating on December 31, 2021; and 2) increasing the not to exceed amount of the agreement by \$441,374 for a new total not to exceed amount of \$2,278,474; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the Agreement shall remain in full force and effect; 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 hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Original: \$441,374
 1st Amendment \$441,374
 2nd Amendment \$441,374
 3rd Amendment \$ 71,604
 4th Amendment \$441,374
 5th Amendment \$441,374
\$2,278,474

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
101	22	8900	5860	-----	\$441,374

Budget Funding Year(s): 2021 Start Date: 01/01/21 End Date: 12/31/21
 (must match resolution)

Funding Source Tax Dollars: 71%
 State Aid: 29%
\$441,374 Federal Aid: 0%
 (must match resolution) Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/14/20 - LISA MRIJAJ, SECRETARY