

George Latimer  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

**80972**

**DATE:** November 24, 2020

**TO:** Honorable Members of the Board of Acquisition and Contract

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

**SUBJECT:** Resolution authorizing the County of Westchester to enter into an agreement with Gavin & Lacy Consultants, LLC to conduct field investigations and searches to locate children in foster care placement that have been declared AWOL by the Westchester County Department of Social Services for the period from January 1, 2021 through December 31, 2021 in an amount not to exceed \$125,000 to be paid at a rate of \$125/hour for the service the consultant provides

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Authorization is requested for the County of Westchester, ("County"), acting by and through its Department of Social Services ("the Department"), to enter into an agreement with Gavin & Lacy Consultants, LLC to conduct field investigations and searches to locate children in foster care placement that have been declared AWOL by the Department for the period from January 1, 2021 through December 31, 2021 in an amount not to exceed \$125,000 to be paid at a rate of \$125/hour payable on a monthly basis pursuant to an approved budget and subject to appropriation.

The services to be provided pursuant to this agreement will serve a **public purpose** by returning youth to foster care.

The **goals and objectives of this agreement** are to return AWOL youth to foster care placement and work with them to assure appropriate future permanent discharge.

The **goals and objectives of this agreement are in the best interest of the County in terms of public health and public safety** as returning youth to foster care will shelter them from delinquency, neglect and abuse.

The **goals and objectives of this agreement are in the best interest of the County in terms of fiscal responsibility** as the services provided by this program focus on assisting foster care youth to become independent and self-sufficient.

**The goals and objectives will be tracked and monitored using performance measurement indicators developed by the Department.** The consultant is required to submit to the Department quarterly statistical reports on all activities related to the program.

Based on the Performance Measurement Indicators, the Department is able to report that Gavin & Lacy Consultants, LLC. has to date surpassed its yearly capacity of 18 children, servicing 35 for the year. Since the onset of contract with the Department, in May 2013, Gavin & Lacy, LLC. has received 292 referrals and has made 209 recoveries.

The procurement of this agreement is exempt from the application of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a) xviii for the creation and support of recreation projects, youth service projects and other appropriate programs and services for the prevention of delinquency and youth crime and the advancement of the moral, physical, mental and social well-being of the youth of Westchester County.

It should be noted that this agreement 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 the federal funding for this program falls under Social Services Block Grant.

Accordingly, the County of Westchester is hereby requesting authority to enter into an agreement with Gavin & Lacy Consultants, LLC for the aforesaid purpose.

An appropriate resolution requesting your Honorable Board's approval is attached herewith.

## RESOLUTION

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

**RESOLVED**, that the County of Westchester (the "County") acting by and through its Department of Social Services, is hereby authorized to enter into an agreement with Gavin & Lacy Consultants, LLC to conduct field investigations and searches to locate children in foster care placement that have been declared AWOL by the Westchester County Department of Social Services for the period from January 1, 2021 through December 31, 2021 in an amount not to exceed \$125,000 to be paid at a rate of \$125/hour for the service the consultant provides to be paid on a monthly basis 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 authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effectuate the purposes hereof.

Account to be charged/credited:

	<b>FUND</b>	<b>DEPT</b>	<b>Major Program, Program &amp; Phase, Or Unit</b>	<b>Object/ Sub- Object</b>	<b>Trust Account</b>	<b>Dollars</b>
2021	101	22	8900	5880		\$125,000

**Budget Funding Year(s):** 2021      **Start Date:** 1/1/2021      **End Date:** 12/31/2021  
(must match resolution)

**Funding Source:** Tax Dollars: 42%  
**\$125,000** State Aid: 34%  
(must match resolution) Federal Aid: 24%