

Ken Jenkins

Chairman of the Board
Legislator, 16th District



8622

Date: April 1, 2010

To: Honorable Board of Acquisition and Contract

From: Hon. Kenneth W. Jenkins, Chairman
Westchester County Board of Legislators

Re: **Authority to enter into an agreement with the Westchester Arts Council, Inc. ("WAC"), pursuant to which WAC will identify, sub-contract with, administer County funds to and supervise cultural organizations throughout the County in order to provide services in music therapy for young people with developmental, emotional and/or cognitive disorders, for the period of July 1, 2010 to June 30, 2011, in an amount not to exceed \$150,000**

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement with the Westchester Arts Council, Inc. ("WAC"), pursuant to which WAC will identify, sub-contract with, administer County funds to and supervise cultural organizations throughout the County in order to provide services in music therapy for young people with developmental, emotional and/or cognitive disorders. WAC may use subcontractors to assist it in carrying out the program, provided that all subcontractors are approved in writing by the Chairman of the Board of Legislators.

WAC will identify qualified cultural organizations (hereinafter collectively referred to as the "Organizations") that operate music therapy programs that utilize professionally licensed music therapists and sub-contract with the Organizations to provide services in music therapy for young people who have developmental, emotional and/or cognitive disorders. WAC will oversee the Organizations and ensure that they satisfactorily provide the music therapy services. The Organizations will provide the music therapy services to young people in the County with developmental, emotional and/or cognitive disorders such as autism spectrum disorders, cerebral palsy, language delays and attention deficit disorders. WAC will supervise and assess the Organizations' performance through site visits and written reports.

The term of this Agreement will be for the period of July 1, 2010 to June 30, 2011, in an amount not to exceed One Hundred Fifty Thousand (\$150,000) Dollars, payable as follows: One half upon execution of the Agreement and one half upon submission of an interim report by WAC.

The objective of the Agreement is in the County's best interest because it will increase the access of young people with developmental, emotional and/or cognitive disorders to music therapy services, designed to improve their cognitive, developmental and social skills, as well as promote the well being, safety and health of the County's youth. The success of the Program will be the participation of at least 750 County youth and a total of at least 15,000 units of service (numbers of children participating multiplied by the number of times they participate). The Agreement's progress shall be tracked by direct reporting of the results to the County by WAC.

This agreement is exempt under the Westchester County Procurement Policy pursuant to Section 3 (a)xviii thereof which exempts procurements for the purposes of 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.

Accordingly, I recommend and urge your Honorable Board's approval of the annexed Resolution.

KWJ/jpi

APPROVED BOARD OF ACQUISITION & CONTRACTS, MAY 27, 2010. JUMIRA VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Chairman of the Westchester County Board of Legislators, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement (the "Agreement") with the Westchester Arts Council, Inc. ("WAC"), pursuant to which WAC will identify, sub-contract with, administer County funds to and supervise cultural organizations throughout the County in order to provide services in music therapy for young people with developmental, emotional and/or cognitive disorders, for the period of July 1, 2010 to June 30, 2011, in an amount not to exceed One Hundred Fifty Thousand (\$150,000) Dollars, as follows: One half upon execution of the Agreement and one half upon submission of an interim report by WAC; 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 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 the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Service Provider, then the Service Provider shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the Chairman of the Westchester County Board of Legislators, or his 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

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	52	2010	5100		\$150,000

Budget Funding Year(s) 2010 Start Date 7/1/10 End Date 6/30/11
(must match resolution)

Funding Source Tax Dollars \$150,000

State Aid _____

\$ 150,000

Federal Aid _____

(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 5-27-2010 - JOMARY VEIRA, SECRETARY