

George Latimer  
County Executive

Department of Social Services

Leonard G. Townes  
Commissioner

**86659**

DATE: September 13, 2021

TO: Board of Acquisition and Contract

FROM: Leonard G. Townes  
Commissioner, Department of Social Services

SUBJECT: Authority to amend an agreement with Westchester Community Opportunity Program, Inc. to operate a warming center for up to forty women at First Street, Mount Vernon, New York for the term February 1, 2021 through January 31, 2022 and includes a day program and one meal per day for up to 100 individuals for the term February 1, 2021 through June 30, 2021 (the "Agreement"), in order to: 1) extend the day program without meals through September 30, 2021 and increase the amount of the Agreement by \$77,572 to cover the cost of the day services, and 2) add the Quarantine Housing Assistance Program ("QHAP") for the term July 1, 2021 through September 30, 2021 and increase the amount of the Agreement by \$102,092 to cover the cost of the QHAP services for a new total amount not to exceed \$851,352, payable pursuant to an approved budget.

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Authority is requested for the County of Westchester (the "County") to amend an agreement with Westchester Community Opportunity Program, Inc. ("WestCOP") dated June 4, 2021 to operate a warming center known as the Oasis Annex for up to forty (40) women at First Street in Mount Vernon (the "Facility") in an amount not to exceed \$509,898 for the term February 1, 2021 through January 31, 2022, including a day program and one meal per day for up to 100 individuals in the amount of \$161,790 for the term February 1, 2021 through June 30, 2021, in the total not to exceed amount of \$671,688 (the "Agreement"), in order to: 1) extend the day program without meals through September 30, 2021 and increase the amount of the Agreement by \$77,572 to cover the cost of the day services, and 2) add the Quarantine Housing Assistance Program ("QHAP") for the term July 1, 2021 through September 30, 2021 and increase the amount of the Agreement by \$102,092 to cover the cost of the QHAP for a new total amount not to exceed \$851,352, payable pursuant to an approved budget.

As you are aware, pursuant to the Agreement, women, who are not residents of any established shelters in Westchester County, are transported each night from the Oasis Shelter operated at 19 Washington Avenue, New Rochelle to the Facility where they will be provided with a safe place to sleep, including a cot, bed linens, toiletries, bathrooms and showering/bath facilities, and then returned to the Oasis Shelter at 7a.m. the following morning. The day program provides day services for individuals utilizing the Emergency Drop Shelter at WestCOP OASIS New Rochelle and WestCOP OASIS Annex Shelters and one meal per day for participants who utilized the emergency drop-in shelters in Mt Vernon and New Rochelle during local isolation orders issued by NYS and local governments. Day services had previously been provided by Hope Community Services; however, this provider requires daily proof of a negative COVID-19 test, which the individuals requiring these day services were unable to provide. The proposed amendment would authorize the extension of the day program, without meals, through September 30, 2021 and would add the Quarantine Housing Assistance Program ("QHAP") which will assist up to five individuals in quarantine for the term July 1, 2021 through September 30, 2021.

It should be noted that the procurement of this Amendment is aimed at addressing the emergency circumstances concerning COVID-19, and the risk that would be associated with the inability of affected persons to effectively isolate themselves when it is necessary to do so. Procuring the services to be provided under this Amendment in compliance with the ordinary requirements of the Westchester County Procurement Policy would, therefore, endanger the health, safety, and well-being of persons by causing the procurement process to take a longer period of time. Accordingly, the proposed Amendment is being procured as an accelerated procurement pursuant to Section 10 of the Westchester County Procurement Policy.

In addition, the proposed Amendment is being partially funded with Federal funds. Section 13 of the Westchester County Procurement Policy specifies that each procurement that is funded, in whole or in part, by federal funds shall be made in accordance with any and all applicable federal laws, regulations, rules, guidance, instructions, or grant terms. Specifically, this procurement complies with 2 C.F.R. 200.320(c)(3), which allows for non-competitive procurement when "[t]he public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation", based on the emergency circumstances concerning COVID-19 and the related urgent need for services for persons who will be in County-provided isolation housing.

The proposed Amendment will serve the public purpose of providing a safe, sanitary, warm, dry place for day services for people who are not housed and do not currently participate in the formal County shelter system. The individuals to be served by the Oasis Annex 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 Amendment is to provide day services for up to 100 individuals where COVID-19 isolation orders are in place for homeless individuals in the Mount Vernon/New Rochelle area of Westchester County as well as QHAP services which will assist up to five individuals in quarantine.

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 day center for up to 100 people in the Mount Vernon/New Rochelle area of Westchester County as well as QHAP services for individuals in quarantine will ensure the health and safety of the individuals who seek such services.

The goals and objectives of the proposed Amendment will be tracked and monitored by the Department of Social Services. I respectfully recommend the adoption of the attached Resolution.

LGT/DI/BG

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/23/2021 - RAYMOND SCULKY, 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 amend an agreement with Westchester Community Opportunity Program, Inc. to operate a warming center known as the Oasis Annex for up to forty (40) women at First Street in Mount Vernon, for the term from February 1, 2021 through January 31, 2022, including a day program and one meal per day for up to 100 individuals for the term February 1, 2021 through June 30, 2021, for a total not to exceed amount of \$671,688 (the "Agreement") in order to: 1) extend the day program without meals through September 30, 2021 and increase the amount of the Agreement by \$77,572 to cover the cost of the day services, and 2) add the Quarantine Housing Assistance Program ("QHAP") for the term July 1, 2021 through September 30, 2021 and increase the amount of the Agreement by \$102,092 to cover the cost of the QHAP, for a new total amount not to exceed \$851,352, 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 hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes hereof.

Original Agreement: \$671,688  
 First Amendment 179,664  
 TOTAL: 851,352

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	22	8900	5998		\$102,092
101	22	8900	5860		\$77,572

Budget Funding Year(s): 2021 Start Date: 07/1/21 End Date: 9/30/21  
 (must match resolution)

Funding Source 5998 Tax Dollars: \_\_\_\_\_ Tax Dollars: 71%  
\$179,664 State Aid: \_\_\_\_\_ State Aid: 29%  
 (must match resolution) Federal Aid: 100% Federal Aid: \_\_\_\_\_  
 Other: \_\_\_\_\_ Other: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACTS 09/23/2021 - RAYMOND SCULKY, SECRETARY