

George Latimer  
County Executive

Department of Social Services

Leonard G. Townes  
Commissioner

93036

DATE: May 3, 2022

TO: The Honorable Board of Acquisition and Contract

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

SUBJECT: Resolution to exempt pursuant to Section 3(a) xxi of the Westchester County Procurement Policy and Procedures, the procurement of an agreement with the Child Care Council of Westchester, Inc. to provide registration activities for school-age child care providers and registered family day care providers and to conduct mandated investigations, oversee fingerprinting of care providers and their employees, and the processing of complaints registered against child care providers for the period January 1, 2022 through December 31, 2022.

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We are requesting that authorization be given to the County of Westchester ("County") to exempt, pursuant to Section 3(a) xxi of the Westchester County Procurement Policy and Procedures (the "Policy"), the procurement of an agreement with the Child Care Council of Westchester, Inc. ("CCCW") to provide registration activities for school-age child care providers and registered family day care providers and to conduct mandated investigations, oversee fingerprinting of care providers and their employees and the processing of complaints registered against child care providers.

Ordinarily, pursuant to section 6 of the Policy, the County is required to issue an RFP and solicit proposals for such services. However, the CCCW is the Child Care Resource and Referral agency for Westchester County pursuant to Title 5-B of the Social Services Law. The CCCW is the only Westchester County based agency that is designated and staffed to conduct the required services. The CCCW assists in making safe and affordable day care services available to low income families in the County of Westchester. In order to promote safety, the providers and their employees are fingerprinted and they then undergo a criminal background check. The CCCW also investigates complaints and non-compliance allegations regarding providers.

It is essential that the agency performing these services has an established relationship with the day care providers in this County and an established relationship with the New York State Office of Children and Family Services ("NYS OCFS"). The CCCW has

been the provider of the requested services for a number of years. Their performance is monitored by the NYS OCFS and they are subject to fiscal sanctions should they not achieve state mandates. The CCCW has not received any sanctions as a result of major non-compliance with performance standards. In addition, the CCCW has a long standing relationship with the providers. Their familiarity with and knowledge of the child care provider community allows them to promptly address problems that arise. This knowledge allows them to refer subsidy eligible parents/guardians to the most suitable providers, many of whom, due to state mandates, they have evaluated.

Therefore, pursuant to Section 3(a) xxi of the Policy, it is recommended that your Honorable Board determine, by resolution passed prior to commencing the procurement of the CCCW's services, that compliance with procedural requirements of the Policy would not be in the best interest of the County.

Accordingly, a resolution to exempt the procurement of this agreement is hereby submitted for your Honorable Board's consideration. A separate resolution has been submitted requesting authority to enter into this Agreement.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/19/2022 RAYMOND S. JAMES SECRETARY

## RESOLUTION

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

RESOLVED, that pursuant to Section 3(a) xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interest of the County of Westchester, in connection with the procurement of an Agreement with the Child Care Council of Westchester, Inc. to provide registration activities for school-age child care providers and registered family day care providers and to conduct mandated investigations, oversee fingerprinting of the child day care providers and their employees and the processing of complaints registered against child care providers for the period January 1, 2022 through December 31, 2022.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/19/2022 - COUNTY CLERK/SECRETARY