



**George Latimer**  
**County Executive**

Department of Social Services

Leonard G. Townes  
Commissioner

**[89952]**

DATE: January 4, 2021

TO: Board of Acquisition and Contract

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

SUBJECT: Authority for the County of Westchester to enter into an agreement with Westchester Community Opportunity Program, Inc., pursuant to which it will operate housing that is provided by the County for the purpose of general isolation housing related to COVID-19, for the period from January 6, 2022 through March 31, 2022, for an amount not-to-exceed \$281,292.00, with the County having the sole option to extend the term of the agreement for up to three (3) additional one (1) month periods on the same terms as the initial term.

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Authority is respectfully requested from your Honorable Board for the County of Westchester (the "County") to enter into an agreement (the "Agreement") with Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP will operate housing that is provided by the County for the purpose of general isolation housing related to COVID-19 (each such housed person a "Client"), including, but not necessarily limited to, transportation of each Client to and from the County-provided housing, providing three (3) meals per day per Client, providing security for the housing, and providing cleaning, housekeeping, laundry, nursing, and case management services for each Client, (the "Services") for the period from January 6, 2022 through March 31, 2022, (the "Initial Term") for an amount not-to-exceed \$281,292.00, payable pursuant to an approved budget, for the Initial Term, with the County having the sole option to extend the term of the Agreement for up to three (3) additional one (1) month periods on the same terms as the Initial Term.

The proposed Agreement will serve a public purpose by providing the County

with the services it needs in order to ensure the proper operation of the County-provided general isolation housing related to COVID-19.

The goal and objective of the proposed Agreement is to provide the County with the services it needs in order to ensure the proper operation of the County-provided general isolation housing related to COVID-19.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of health and safety, as providing the County with the services it needs in order to ensure the proper operation of the County-provided general isolation housing related to COVID-19 will ensure that such persons have adequate housing and services while they are isolated.

The goal and objective of the proposed Agreement will be tracked and monitored by the staff of the Department of Social Services.

The emergency circumstances concerning COVID-19, and the risk that would be associated with each Client prematurely returning to his/her prior housing, are such that procurement of the Services in compliance with the ordinary requirements of the Westchester County Procurement Policy would endanger the health, safety, and well-being of persons by causing the procurement process to take a longer period of time. Accordingly, the proposed Agreement is being procured as an accelerated procurement pursuant to Section 10 of the Westchester County Procurement Policy.

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. To the extent that the regulation is applicable, 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 that currently exists with regard to COVID-19 and the related urgent need for housing-related services for persons who will be in County-provided housing for isolation purposes.

I respectfully recommend the adoption of the attached resolution.

CDS/LGT/bdm/nn

## **RESOLUTION**

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

**RESOLVED**, enter into an agreement (the "Agreement") with Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP will operate housing that is provided by the County for the purpose of general isolation housing related to COVID-19 (each such housed person a "Client"), including, but not necessarily limited to, transportation of each Client to and from the County-provided housing, providing three (3) meals per day per Client, providing security for the housing, and providing cleaning, housekeeping, laundry, nursing, and case management services for each Client, (the "Services") for the period from January 6, 2022 through March 31, 2022, (the "Initial Term") for an amount not-to-exceed \$281,292.00, payable pursuant to an approved budget, for the Initial Term, with the County having the sole option to extend the term of the Agreement for up to three (3) additional one (1) month periods on the same terms as the Initial Term; 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 the 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 contractor, then the contractor shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is empowered to execute all documents and take all actions necessary to effect the purpose of this resolution.

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Account to be  
Charged/Credited

Fund	Dept	Unit	Object/ Sub Object	Trust Account	Activity	Dollars
101	22	8900	5998			\$281,292.00

Budget Funding Year(s): 2022\_ Start Date: 01/06/22 End Date: 03/31/22  
(must match resolution)

Tax Dollars: 71% \_\_\_\_\_  
State Aid: 29% \_\_\_\_\_  
Federal Aid: \_\_\_\_\_  
Other: \_\_\_\_\_

Funding Source  
\$281,292.00  
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/06/2022 - RAYMOND S. SULKY, SECRETARY