



George Latimer, County Executive
Leonard G. Townes, Commissioner
Department of Social Services

109932

DATE: November 12, 2024

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to amend the County's agreement with Westhab, Inc., pursuant to which agreement, a.) it was to provide services to operate single room occupancy residences, double room occupancy residences, and an emergency overnight drop-in shelter for single individuals, at 101 North Broadway, Yonkers, New York, b.) it was to be a sublessee of the County for 101 North Broadway, Yonkers, New York to facilitate its provision of said services, in order to 1.) extend the term by one (1) year, to a new termination date of February 28, 2026; 2.) increase its not-to-exceed amount by \$939,211.00, in order to pay for services during the extended term; and 3.) modify its budget in order to specify the budget for the extended term.

By resolutions approved on February 14, 2019; December 19, 2019; December 23, 2020; February 3, 2022; December 22, 2022; and December 21, 2023, your Honorable Board authorized the County of Westchester (the "County") to, collectively, contract with Westhab, Inc. (as the successor in interest to The Sharing Community, Inc.), under an initial agreement, as it was successively amended, (the "Agreement") for the period from January 1, 2019 through February 28, 2025, for a total amount not-to-exceed \$4,452,455.00, with terms specifying that, a.) Westhab was to provide services (the "Services") to operate single room occupancy residences ("SROs"), double room occupancy residences ("DROs"), and an emergency overnight drop-in shelter for single individuals, at 101 North Broadway, Yonkers, New York (the "Premises"), and, b.) Westhab was to sublease the Premises from the County to facilitate Westhab's provision of the Services, subject to the terms of the County's lease for the Premises (the "County's Lease"), with the consent of the owner of the Premises, which was, in fact, received.

The County has determined that it would not be prudent to seek to replace Westhab as the provider of the Services for the Premises, due to the necessity of

obtaining a new consent of the owner of the Premises for such replacement entity. Accordingly, the County believes that it would be prudent to, instead, extend the Agreement with Westhab, through the remaining one (1) year of the term of the County's Lease, as recently extended by the County's exercise of its only option under that lease.

Therefore, the County respectfully requests authority from your Honorable Board to amend the Agreement by, 1.) extending its term by one (1) year, to a new termination date of February 28, 2026; 2.) increasing its not-to-exceed amount by \$939,211.00, from \$4,452,455.00 to \$5,391,666.00, in order to pay for the Services during the extended term; and 3.) modifying its budget in order to specify the budget for the extended term (the "Sixth Amendment", DSS312-F-19).

Except as specifically described above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed Sixth Amendment will serve a public purpose by enabling the County to continue to both provide a safe, supervised place to sleep at night for homeless individuals who are outside the County's shelter system and might otherwise be forced to sleep in public places, and also provide longer-term SROs and DROs for persons in need of such shelter who meet the applicable requirements for occupancy.

The goal and objective of the proposed Sixth Amendment is to enable the County to continue to both provide a safe, supervised place to sleep at night for homeless individuals who are outside the County's shelter system and might otherwise be forced to sleep in public places, and also provide longer-term SROs and DROs for persons in need of such shelter who meet the applicable requirements for occupancy.

The goal and objective of the proposed Sixth Amendment is in the best interests of the County in terms of health and safety, as enabling the County to continue to both provide a safe, supervised place to sleep at night for homeless individuals who are outside the County's shelter system and might otherwise be forced to sleep in public places, and also provide longer-term SROs and DROs for persons in need of such shelter who meet the applicable requirements for occupancy, will ultimately help ensure the health and safety of such persons.

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

The procurement of the Services under the Sixth Amendment is exempt from the Westchester County Procurement Policy pursuant to Sections 3(a)(xiv) thereof.

I respectfully recommend approval of the attached resolution.

LGT/MV/bdm/nn

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend its agreement with Westhab, Inc. ("Westhab"), for the period from January 1, 2019 through February 28, 2025, for a total amount not-to-exceed \$4,452,455.00, with terms specifying that, a.) Westhab was to provide services (the "Services") to operate single room occupancy residences, double room occupancy residences, and an emergency overnight drop-in shelter for single individuals, at 101 North Broadway, Yonkers, New York (the "Premises"), and, b.) Westhab was to sublease the Premises from the County to facilitate Westhab's provision of the Services, subject to the terms of the County's lease for the Premises, with the consent of the owner of the Premises, which was, in fact, received, (the "Agreement", DSS312-F-19)) by, 1.) extending its term by one (1) year, to a new termination date of February 28, 2026; 2.) increasing its not-to-exceed amount by \$939,211.00, from \$4,452,455.00 to \$5,391,666.00, in order to pay for the Services during the extended term; and 3.) modify its budget in order to specify the budget for the extended term; and be it further

RESOLVED, that except as specifically hereby authorized to be amended, all terms and conditions of the Agreement shall remain in full force and effect; 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 of this resolution.

APPROVED BOARD OF ACQUISITIONS CONTRACT 12052034 PAYROLL SECURITY

Initial Term	\$650,000.00
First Amendment	\$677,750.00
Second Amendment	\$705,970.00
Third Amendment	\$734,945.00
Fourth Amendment	\$762,995.00
Fifth Amendment	\$920,795.00
Sixth Amendment	\$939,211.00
NEW NTE	\$5,391,666.00

1. Account to be Charged/Credited:

	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2025	101	22	8900	5860		\$782,675.83
2026	101	22	8900	5860		\$156,535.17

2. Budget Funding Year(s): 2025 -2026
 Start Date: March 1, 2025 End Date: February 28, 2026
 (must match resolution)

3. Funding Source:

Federal	0%	CFDA#(s)			
State	29%	State ID#(s)			
Operating/ Tax Levy	71%				
Capital					

4. Total NTE: \$939,211
 (must match resolution)