



Vedat Gashi
Chairman,
Westchester County
Board of Legislators

OnBase ID #109943

DATE: November 13, 2024

TO: The Honorable Board of Acquisition and Contract

FROM: Honorable Vedat Gashi
Chairman, Westchester County Board of Legislators

SUBJECT: Authority to amend a "short-form" agreement with Westchester Latinos Unidos, Inc., for the provision of food to Mount Vernon residents suffering from food insecurity, for a term commencing on January 1, 2024 through December 31, 2024, for an amount not to exceed \$30,000.00, in order to increase the not-to-exceed amount by \$20,000.00 to compensate for additional services, pursuant to an approved budget.

On or about June 20, 2024, the County of Westchester ("County"), through the Board of Legislators, entered into a "short-form" contract with Westchester Latinos Unidos, Inc. ("Westchester Latinos"), for the provision of food to Mount Vernon residents suffering from food insecurity under its program entitled "Mount Vernon Community Refrigerator Program" ("Program"), for a term commencing on January 1, 2024 through December 31, 2024, for an amount not-to-exceed \$30,000.00 (the "Agreement").

The County now desires to increase the not-to-exceed amount under the Agreement by \$20,000.00, from an amount not-to-exceed of \$30,000.00 to a not-to-exceed amount of \$50,000.00, payable upon execution of the proposed amendment, in order to compensate Westchester Latinos for additional services provided under the Agreement, including additional community outreach services such as community meetings and workshops to inform residents about the Program, collaboration work with local businesses and farmers to source surplus food, implementing refrigerator cleaning and maintenance protocols, organizing food drives, coordinating efforts with food donors for regular contributions.

As your Honorable Board is aware, amendments to short-form contracts which result in increases which exceed the \$35,000 threshold for short-form contracts and/or term extensions beyond the one (1) year threshold, must first be approved by your Honorable Board. Since the proposed amendment provides for a not-to-exceed amount under the Agreement that will exceed the \$35,000.00 threshold, the authority of your Honorable Board is required. Accordingly, authority is respectfully requested to amend the Agreement, in order to increase the not-to-exceed amount by \$20,000.00, from a not-to-exceed of \$30,000.00 to a not-to-exceed amount of \$50,000.00, in order to compensate Westchester Latinos for additional services provided under the Agreement.

Except as otherwise specifically amended hereby, all other terms and conditions of the Agreement will remain in full force and effect.

This Agreement is exempt from the requirements of the Westchester County Procurement Policy pursuant to section 3(a)(xiv) thereof, which exempts "contracts with not for profit organizations for the purposes of providing aid, care and support to persons in need of public assistance."

The goals and objectives of this Agreement are to provide food for Mount Vernon residents suffering from food insecurity. The goals and objectives are in the best interests of the County in terms of fiscal responsibility because it will reduce the number of Westchester County residents falling into poverty and requiring public services, including sheltering services. The performance of this agreement will be tracked and monitored by the department.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

VG/cmc
Enclosure

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend a "short form" agreement (the "Agreement") with the Westchester Latinos Unidos, Inc. (the "Westchester Latinos"), for the provision of food to Mount Vernon residents suffering from food insecurity, for a term commencing on January 1, 2024 through December 31, 2024, and an amount not-to-exceed \$30,000.00, in order to increase said not-to-exceed amount by \$20,000.00, payable upon execution of the proposed amendment, in order to compensate Westchester Latinos for additional services provided under the Agreement, including additional community outreach services such as community meetings and workshops to inform residents about the program, collaboration work with local businesses and farmers to source surplus food, implementing refrigerator cleaning and maintenance protocols, organizing food drives, coordinating efforts with food donors for regular contributions; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the Agreement, as amended, is subject to County appropriations; and be it further

RESOLVED, that the Agreement, as amended 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 adoptions(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 Westchester Latinos, then Westchester Latinos 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 duly authorized designee, is hereby authorized to execute any documents and take such 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	Sub-unit	Object/ Sub-Object	Dollars
101	52	2509	0010	5100	\$20,000.00

Budget Funding Year(s)
(must match resolution)

Start Date 1/1/24 End Date 12/31/24

Funding Source

Tax Dollars \$20,000.00

State Aid _____

\$20,000.00

Federal Aid _____

(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/20/2024 - RAYMOND SCULKY, SECRETARY