



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

110164

DATE: December 18, 2024

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to enter into an agreement with Westhab, Inc., pursuant to which it will provide services to operate the Coachman Family Center as a Tier II Shelter for Families, as well as operate emergency overnight shelter capacity within the Coachman Family Center, for adults with children, on an as-needed basis, for a total amount not-to-exceed \$11,098,232.00 for the period from January 1, 2025 through December 31, 2026, with the County having the option, in its sole discretion, to extend the term of the agreement for up to three (3) additional one (1) year periods thereafter.

Authority is requested for the County of Westchester (the "County") to enter into an agreement (DSS3015-25; the "Agreement") with Westhab, Inc. ("Westhab") pursuant to which Westhab will provide services to operate the Coachman Family Center (the "CFC") as a 'Tier II Shelter for Families', as defined in 18 NYCRR Part 900, (a "Tier II Shelter") as well as operate emergency overnight shelter ("EOS") capacity within the CFC, for adults with children, on an as-needed basis, as such need is determined by the County, (the "Services") for an amount not-to-exceed \$11,098,232.00 for the period from January 1, 2025 through December 31, 2026 (the "Initial Term"), consisting of the following annual not-to-exceed amounts, all of which will be payable pursuant to an approved budget:

<u>Year</u>	<u>Not-To-Exceed Amount</u>
1.) Year #1 (1/1/25 – 12/31/25)	\$5,416,406.00
2.) Year #2 (1/1/26 – 12/31/26)	\$5,681,826.00

and with the County having the option, in its sole discretion, to extend the term for up to three (3) additional one (1) year periods thereafter on the same terms as the Initial Term (each an "Option Term"), except for different cost terms for each Option Term, with the following respective not-to-exceed amounts for each Option Term, each of which would be payable pursuant to an approved budget:

<u>Term</u>	<u>Not-To-Exceed Amount</u>
1.) Option Term #1 (1/1/27 - 12/31/27)	\$5,954,578.00

- 2.) Option Term #2 (1/1/28 - 12/31/28) \$6,244,718.00
- 3.) Option Term #3 (1/1/29 - 12/31/29) \$6,555,463.00

On October 28, 2024, the County, acting by and through the Department of Social Services (“DSS”), issued a request for proposals that solicited proposals to provide the Services (the “RFP”). In response to the RFP, DSS received two (2) proposals, one (1) of which was significantly incomplete and therefore not responsive. The one (1) responsive proposal was from Westhab. DSS had several individuals review the proposal from Westhab and evaluate it based upon the evaluation criteria specified in the RFP. DSS staff further negotiated the proposed cost with Westhab, and their analysis of the negotiated proposed cost for the Services found that it is reasonable. Based upon DSS’s review of the proposal from Westhab and its past performance under other contracts with the County, DSS is satisfied that Westhab is a responsible vendor for these services.

It should be noted that, on November 4, 2019, DSS issued a request for proposals for similar services regarding the operation of the CFC, for an agreement with an initial term and option terms covering the period from January 1, 2020 through December 31, 2024. In response to that request for proposals, the County received one (1) proposal, which was from Westhab.

It should also be noted that, on December 3, 2014, DSS issued a request for proposals for similar services regarding the operation of the CFC, for an agreement with an initial term and option terms covering the period from January 1, 2015 through December 31, 2019. In response to that request for proposals, the County received one (1) proposal, which was from Westhab.

Accordingly, the County has determined that, after soliciting several sources, via the issuance of the RFP, and in light of the results of the previous, similar requests for proposals of a period of years, competition for the Services is inadequate. Therefore, pursuant to 2 C.F.R. 200.320(c)(5) and Section 11 (formerly Section 13) of the County’s Procurement Policy and Procedures, the County can proceed with the proposed Agreement despite receiving only one (1) responsive proposal in response to the RFP.

The proposed Agreement will serve a public purpose by providing the County with the Services necessary to operate the CFC as a Tier II Shelter, and providing the Services to operate EOS capacity within the CFC, as needed.

The goal and objective of the proposed Agreement is to provide the County with the Services necessary to operate the CFC as a Tier II Shelter, and provide the Services to operate EOS capacity within the CFC, as needed.

The goal and objective of the proposed Agreement is in the best interests of the County in terms of public health and safety, as providing the County with the Services necessary to operate the CFC as a Tier II Shelter, and providing the Services to operate EOS capacity within the CFC, as needed, is intended to help ensure that the CFC can provide housing to eligible families and persons, which will ultimately help ensure the

health and safety of those families and persons.

The goal and objective of the proposed Agreement will be tracked and monitored by the staff of DSS.

I respectfully recommend the adoption of the attached resolution.

LGT/JE/bdm/nn

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/19/2024 - 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 enter into an agreement (DSS3015-24; the "Agreement") with Westhab, Inc. ("Westhab"), pursuant to which Westhab will provide services to operate the Coachman Family Center as a 'Tier II Shelter for Families', as defined in 18 NYCRR Part 900, as well as operate emergency overnight shelter capacity within the Coachman Family Center, for adults with children, on an as-needed basis, as such need is determined by the County, for an amount not-to-exceed \$11,098,232.00 for the period from January 1, 2025 through December 31, 2026 (the "Initial Term"), consisting of the following annual not-to-exceed amounts, all of which will be payable pursuant to an approved budget:

<u>Year</u>	<u>Not-To-Exceed Amount</u>
1.) Year #1 (1/1/25 – 12/31/25)	\$5,416,406.00
2.) Year #2 (1/1/26 – 12/31/26)	\$5,681,826.00

and with the County having the option, in its sole discretion, to extend the term for up to three (3) additional one (1) year periods thereafter on the same terms as the Initial Term (each an "Option Term"), except for different cost terms for each Option Term, with the following respective not-to-exceed amounts for each Option Term:

<u>Term</u>	<u>Not-To-Exceed Amount</u>
1.) Option Term #1 (1/1/27 - 12/31/27)	\$5,954,578.00
2.) Option Term #2 (1/1/28 - 12/31/28)	\$6,244,718.00
3.) Option Term #3 (1/1/29 - 12/31/29)	\$6,555,463.00

; 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 of this resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/19/2024 - RAYMOND SCULKY, SECRETARY

1. Account to be Charged/Credited:

	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2025	101	22	8900	5850		3,787,824.47
2025	101	22	8900	5860		1,628,581.53
2026	101	22	8900	5850		3,973,439.13
2026	101	22	8900	5860		1,708,386.87

2. Budget Funding Year(s): 2025 - 2026

Start Date: 01/01/2025 End Date: 12/31/2026

(must match resolution)

1. Funding Source: (5850)

Federal	99%	CFDA#(s)	93.558		
State	N/A	State ID#(s)	N/A		
Operating/Tax Levy	1%				
Capital	N/A				

2. Funding Source: (5860)

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

3. Total NTE: \$11,098,232.00

(must match resolution)