

ONBASE: 110000

DATE: November 26, 2024

TO: Honorable Members of the Board of Acquisition and Contract

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

RE: Resolution authorizing the County of Westchester to amend the agreement with Program Design and Development, LLC, for the provision of grant proposal writing services and/or other special projects, for a term, including the initial term and two (2) one-year renewal options, commencing on January 1, 2022 and expiring on December 31, 2024, for an aggregate not-to-exceed amount of \$60,000.00, in order to increase the not-to-exceed amount by \$10,000, from \$60,000.00 to \$70,000.00.

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By resolution approved on February 24, 2022, your Honorable Board authorized the County of Westchester ("County"), acting by and through its Department of Social Services ("Department"), to enter into an agreement (the "Agreement", DSS3021-22) with Program Design and Development, LLC ("Program Design"), for the provision of grant proposal writing services and/or other special projects, for the period from January 1, 2022 through December 31, 2022, for a not-to-exceed amount of \$20,000.00, with the County having the option to extend the term of the Agreement for two (2) additional one-year terms. The Agreement was subsequently executed.

By resolution approved on December 15, 2022, your Honorable Board authorized the County to amend the Agreement in order for the County to exercise the first of its two one-year options to renew the Agreement with the Program Design, for the period from January 1, 2023 through December 31, 2023, for an amount not-to-exceed \$20,000, payable in accordance with an approved budget (the "First Amendment"). The First Amendment (DSS3021-A-22) was subsequently executed.

By resolution approved on December 7, 2023, your Honorable Board authorized the County to amend the Agreement in order for the County to exercise the second and last of its two one-year options to extend the term of the Agreement for one year, for the period January 1, 2024 through December 31, 2024 ("Second Renewal Term"), for a not-to-exceed amount of \$20,000.00, upon the same terms and conditions of the Agreement (DSS3021-B-22; the "Second Amendment"). The Second Amendment was subsequently executed.

Authority is now hereby requested from your Honorable Board for the County to further amend the Agreement (DSS3021-C-22; the "Third Amendment") in order to increase the not-to-exceed amount under the Agreement by \$10,000.00, to compensate Program Design for the additional services rendered during the Second Amendment Term.

The proposed Third Amendment will serve a public purpose by helping the County secure needed funding for various social, economic and workforce development programs that will benefit County residents by creating available job training and/or employment resources.

The goals and objectives of the proposed Second Agreement are to enable the Department to apply to state or federal funding opportunities in order to secure needed funding for various social and economic development programs.

The County satisfied the procurement requirements set forth in the County of Westchester Procurement Policy ("County Procurement Policy") before entering into the Agreement. Prior to the recent revision of the County Procurement Policy, in accordance with Section 7 of the previous policy, on November 19, 2021, the County issued an RFQ soliciting quotations, statements or other information from consultants to provide the aforementioned services. In response to the RFQ, the Department received three (3) written quotations from the following entities: 1) AMASE LLC ("AMASE"); 2) Jetco Solutions ("Jetco"); and 3) Program Design. The County determined the proposals submitted by AMASE and Jetco to be non-responsive and found Program Design the only proposer that sufficiently demonstrated their ability to meet the requirements of the RFQ and therefore the only responsive proposer.

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

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

LGT/cmc  
Attachment

## RESOLUTION

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

RESOLVED, that the County of Westchester, acting by and through its Department of Social Services, is hereby authorized to amend the Agreement with Program Design and Development, LLC ("Program Design"), for the provision of grant proposal writing services and/or other special projects, for a term, including one-year initial with two (2) one-year renewal terms, commencing on January 1, 2022 and expiring on December 31, 2024, for a total aggregate amount of \$60,000.00, in order to increase the not-to-exceed amount under the agreement by \$10,000.00, from \$60,000.00 to \$70,000.00, to compensate Program Design for additional services rendered in the second and last one-year renewal term (DSS3021-C-22; the "Third Amendment"); and be it further

RESOLVED, that 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 by this Third Amendment is subject to County appropriation; and be it further

RESOLVED, that the agreement, as amended by this Third Amendment 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 Program Design, then Program Design 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 be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Initial Agreement	\$ 20,000
First Amendment Option 1	20,000
Second Amendment Option 2	20,000
<u>This Third Amendment</u>	<u>10,000</u>
Total	\$ 70,000

**1. Account to be Charged/Credited:**

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	22	8900	5860		\$ 10,000

**2. Budget Funding Year(s): 2024**

Start Date: 01/01/2024 End Date: 12/31/2024  
 (must match resolution)

**3. Funding Source:**

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

**4. Total NTE: \$10,000**

(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/05/2024 - RAYMOND SCUKA SECRETARY