

George Latimer
County Executive

Department of Correction

Joseph K. Spano
Commissioner

Onbase ID: 103216

September 7, 2023

To: Honorable Board of Acquisition and Contract

From: Joseph K. Spano
Commissioner of Correction

Re: Fourth amendment to an agreement with New York Correct Care Solutions Medical Services P.C. for the provision of comprehensive medical, dental and mental health services for all individuals in the custody of the Westchester County Department of Correction, in order to retroactively increase the not to exceed amount for 2022 from \$14,995,000 to \$15,173,151, an increase of \$178,151, due to a decrease in the average daily inmate population.

Pursuant to a resolution adopted by your Honorable Board on July 3, 2019, the County of Westchester ("County") and New York Correct Care Solutions Medical Services P.C. ("NYCCS") entered into an agreement for the provision of comprehensive medical, dental and mental health services for all individuals in the custody of the Westchester County Department of Correction in Valhalla, New York for the term July 26, 2019 through July 25, 2022 (the "Agreement"), with the County of Westchester ("County") having the sole option to renew the Agreement for three (3) additional one (1) year renewal periods, upon the same terms and conditions in the total amount is not to exceed \$44,156,082, payable annually and respectively at a rate of \$14,397,000 (year 1), \$14,764,082 (year 2) and \$14,995,000 (year 3), payable pursuant to an approved budget. The Agreement further provides that if the average daily population increases or decreases by ten percent (10%) above or below 1,100 inmates in any given quarter, there shall be an associated modification of the sum due to the contractor.

By a resolution adopted by your Honorable Board on March 24, 2022, the County was authorized to amend the Agreement to permit NYCCS to employ up to two unlicensed mental health professionals to work under the direct supervision of NYCCS's Director of Mental Health.

Pursuant to a resolution adopted by your Honorable Board on July 27, 2022, the County was authorized to exercise its first option to extend the Agreement for the one-year term from July 26, 2022 through July 25 2023 in the amount not to exceed \$14,995,000, payable pursuant to an approved budget.

Pursuant to a resolution adopted by your Honorable Board on August 31, 2023, the County was authorized to exercise its second option to extend the Agreement for the one-year term from July 26, 2023 through July 25 2024, provide for personnel changes and adjust the average daily population for billing purposes.

Approval of your Honorable Board is now requested to authorize the County to enter into a fourth amendment to the Agreement in order to retroactively increase the not to exceed amount for 2022 from \$14,995,000 to \$15,173,151, an increase of \$178,151, due to a decrease in the average daily inmate population. As explained above, the Agreement specifies that if the average daily population increases or decreases by ten percent (10%) above or below 1,100 inmates in any given quarter, there shall be an associated modification of the sum due to the contractor. In July, August and September of 2022, the average daily population decreased below the contractual minimum, to as few as 793 inmates. Per the contract, this resulted in an increase to the annual not to exceed amount. All remaining terms and conditions of the Agreement, as previously amended, will remain unchanged.

The goal of the proposed extension agreement is to provide adequate and humane health care to all individuals in the Department's custody. The performance by NYCSS will be monitored by Department staff utilizing regular reports.

I recommend approval of the attached proposed resolution.

JKS/DLV/dv
Attachment

RESOLUTION

Upon a communication from the Commissioner of Correction, be it hereby

RESOLVED, that the County of Westchester ("County") is hereby authorized to enter into a fourth amendment to the agreement with New York Correct Care Solutions Medical Services P.C. for the provision of comprehensive medical, dental and mental health services for all individuals in the custody of the Westchester County Department of Correction, in order to retroactively increase the not to exceed amount for 2022 from \$14,995,000 to \$15,173,151, an increase of \$178,151, due to a decrease in the average daily inmate population; and be it further

RESOLVED, that all remaining terms and conditions of the Agreement, as previously amended, shall remain unchanged; and be it further

RESOLVED, that the County Executive, or his duly authorized designee, is hereby authorized to execute such documents and take such actions as may be necessary and appropriate to effectuate the purposes hereof.

Account to be Charged/credited 7/26/22-7/25/23	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	35	1000	4380		\$178,151

Budget Funding Year(s) _2022-2023_ Start Date _7/26/22_ End Date _7/25/23_
(must match resolution)

Funding Source Tax Dollars \$178,151
State Aid
\$178,151 Federal Aid
(must match resolution) Other