



George Latimer  
County Executive

Department of Probation

Rocco A. Pozzi  
Commissioner

## OnBase # 110113

DATE: December 10, 2024

TO: Board of Acquisition and Contract

FROM: Rocco A. Pozzi  
Commissioner, Department of Probation

SUBJECT: Authority to enter into an agreement with Together for Youth, pursuant to which it will provide services to provide and operate a non-secure juvenile detention site and program for up to four (4) youths, for a total amount not-to-exceed \$841,504.60 for the period from December 31, 2024 through December 31, 2025, with the County having the option, in its sole discretion, to extend the term of the agreement for up to five (5) additional one (1) year periods thereafter.

Authority is requested for the County of Westchester (the "County") to enter into an agreement (the "Agreement") with Together for Youth ("TFY"), pursuant to which TFY will provide services to provide and operate a non-secure juvenile detention site and program for up to four (4) youths (the "Services"), for an amount not-to-exceed \$841,504.60 for the period from December 31, 2024 through December 31, 2025 (the "Initial Term"), payable for December 31, 2024 at a per youth per diem rate of \$718.40 and payable in an amount not-to-exceed \$838,631.00 for the calendar year 2025, pursuant to an approved budget, and with the County having the option, in its sole discretion, to extend the term for up to five (5) 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 (1/1/26 - 12/31/26)	\$863,791.00
2.) Option Term #2 (1/1/27 - 12/31/27)	\$889,703.00
3.) Option Term #3 (1/1/28 - 12/31/28)	\$916,396.00
4.) Option Term #4 (1/1/29 - 12/31/29)	\$943,889.00
5.) Option Term #5 (1/1/30 - 12/31/30)	\$972,154.00

On November 19, 2024, the County, acting by and through the Department of Probation

("Probation"), issued a request for proposals that solicited proposals to provide the Services (the "RFP"). In response to the RFP, Probation received one (1) proposal, which was from TFY. Probation had several individuals review the proposal from TFY and evaluate it based upon the evaluation criteria specified in the RFP. Probation conducted an analysis of the cost proposal from TFY and found that it is reasonable. Based upon Probation's review of the proposal from TFY and its past performance under other contracts with the County, Probation is satisfied that TFY is a responsible vendor for these services.

The RFP specified that the initial term "of any agreement resulting from this RFP is anticipated to be one (1) year, commencing on or about January 1, 2025...." Probation ultimately determined that, in order to ensure a smooth transition and housing for the overnight from December 31, 2024 into January 1, 2025, it is prudent for the term of the proposed Agreement to commence on December 31, 2024.

For the extra day of the Services on December 31, 2024, TFY offered Probation a per-youth per diem rate of \$718.40 for up to four (4) youths. This amount represents a slight premium over the effective per-youth per diem rate of \$574.40 for the Initial Term, which would be the calculated effective rate if the Services are provided for the maximum number of youths every day for the whole year. However, if the Services are provided to three (3) or fewer youths on a given day, the effective per-youth per diem for such a day during the Initial Term will be higher than this one-day per-youth per diem rate of \$718.40 for December 31, 2024.

Accordingly, Probation has found the rate for December 31, 2024 to be acceptable as being broadly in line with TFY's proposed cost for the Services during for 2025, especially given the need for TFY to hold all four (4) beds open for the County for December 31, 2024, while it is uncertain whether the County will even need any them, and therefore pay for any of them, or not.

The proposed Agreement will serve a public purpose by providing an appropriate residential facility, and necessary services, that are intended to ensure the health, safety, and well-being of youth requiring non-secure detention.

The goal and objective of the proposed Agreement is to provide an appropriate residential facility, and necessary services, that are intended to ensure the health, safety, and well-being of youth requiring non-secure detention.

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 an appropriate residential facility, and necessary services, that are intended to ensure the health, safety, and well-being of youth requiring non-secure detention, is anticipated to advance public health and safety, overall.

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

I respectfully recommend the adoption of the attached resolution.

RAP/MF/bdm/nn

**RESOLUTION**

Upon a communication from the Commissioner of Probation, be it hereby:

**RESOLVED**, that the County of Westchester (the “County”) is hereby authorized to enter into an agreement (the “Agreement”) with Together for Youth (“TFY”), pursuant to which TFY will provide services to provide and operate a non-secure juvenile detention site and program for up to four (4) youths, for an amount not-to-exceed \$841,504.60 for the period from December 31, 2024 through December 31, 2025 (the “Initial Term”), payable for December 31, 2024 at a per-youth per diem rate of \$718.40 and payable in an amount not-to-exceed \$838,631.00 for the calendar year 2025, pursuant to an approved budget, and with the County having the option, in its sole discretion, to extend the term for up to five (5) 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:

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4.) Option Term #4 (1/1/29 - 12/31/29)	\$943,889.00
5.) Option Term #5 (1/1/30 - 12/31/30)	\$972,154.00

; 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.

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Account to be Charged/Credited

Year	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub- Object	Trust Account	Dollars
2024-25	101	39	2000	4380		\$841,504.60
2026	101	39	2000	4380		\$863,791.00
2027	101	39	2000	4380		\$889,703.00
2028	101	39	2000	4380		\$916,396.00
2029	101	39	2000	4380		\$943,889.00
2030	101	39	2000	4380		\$972,154.00

Budget Funding Year(s): 2024-2025 Start Date: 12/31/24 End Date: 12/31/25  
 (must match resolution)

Funding Source	Tax Dollars: 841,504.60
<u>\$841,504.60</u>	State Aid: 0
(must match resolution)	Federal Aid: 0
	Other: 0

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