



Kenneth W. Jenkins
County Executive

113918

Date: June 15, 2026

To: The Honorable Board of Acquisition and Contract

From: Kenneth W. Jenkins
County Executive

Re: Authority to exempt from the Westchester County Procurement Policy pursuant to Section 3(a)(xxi) thereof, the procurement of an amendment to an agreement between the County of Westchester and Community Capital New York, Inc. (CCNY), for the administration of \$15,300,000.00 in payments to certain local not-for-profit and religious grantees, including Minority or Women Owned Business Enterprises, Disadvantaged Business Enterprises and Service-Disabled Veterans, who qualify under the Business FIRST program, for a period from January 1, 2022 through December 31, 2024, for an amount not to exceed \$1,700,000.00, in order to extend the term for an additional period commencing retroactively on January 1, 2025 and expiring on March 31, 2027, at no additional cost to the County.

By resolution approved on March 24, 2022 (“March Exemption Resolution”), your Honorable Board authorized the County of Westchester (“County”) to exempt from the Westchester County Procurement Policy (“County Procurement Policy”), pursuant to Section 3(a)(xxi) thereof, the procurement of an agreement (“Agreement”) with Community Capital New York, Inc. (“CCNY”), for the administration of payments to certain grantees under the Business FIRST program (“Program”), to assist religious and nonprofit corporations who qualify as permitted grantees for financial assistance under the Program, and to authorize the transfer from the County to CCNY of up to \$16,650,000.00 to be distributed to such permitted recipients, for a term from January 1, 2022 through December 31, 2023, for an amount payable to CCNY not-to-exceed \$350,000.00. In connection with the administration of payments to such religious and not-for-profit corporations under the Program, the County was to be reimbursed an amount up to \$17,000,000.00 in American Rescue Plan Act federal funds.

By resolution approved on May 12, 2022, your Honorable Board authorized the County to amend the March Exemption Resolution to permit businesses certified as Minority or Women Owned Business Enterprises (MWBEs) by the State of New York and Disadvantaged Business Enterprises (DBEs) certified by the United States of America to qualify for the Program, in addition to religious and nonprofit corporations. The Agreement was subsequently executed.

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By resolution approved on December 15, 2022, your Honorable Board authorized the County to exempt from the County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, the procurement of an amendment to the Agreement (“First Amendment”) in order to, amongst other things: i) expand the scope of services in the Agreement to include additional administrative tasks and services required of CCNY to implement the Program, including the completion of a market analysis (“Market Analysis”), with the purpose of revitalizing the downtown areas of four (4) pilot towns identified therein; ii) increase the not-to-exceed fee to be paid to CCNY under the Agreement by \$1,350,000.00, for a total not-to-exceed fee to be paid to CCNY of \$1,700,000.00, in order to compensate CCNY for additional administrative tasks and services in implementing the Program, including the completion of the Market Analysis, with the County transferring to CCNY an amount up to \$15,300,000.00 to be distributed to permitted grantees; iii) to authorize CCNY to subcontract the portion of the work related to the Market Analysis to JGSC Group, LLC (“JGSG”) for a subcontracted amount not to exceed \$250,000.00; and iv) add business enterprises owned and controlled by Service-Disabled Veterans (SDVBE) as eligible grantees to qualify for the Program under the Agreement. The First Amendment was subsequently executed.

By resolution approved on September 14, 2023, your Honorable Board authorized the County to exempt from the County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, the procurement of an amendment to the Agreement (“Second Amendment”) in order to i) extend the term of the agreement by seven months, from January 1, 2024 through July 31, 2024; and ii) expand the scope of the Market Analysis to be prepared by JGSG, to include one (1) additional municipality for the purpose of revitalizing the downtown areas of a total of five (5) pilot towns in Westchester County to be identified therein, for a revised subcontracted amount not to exceed \$277,600.00, at no additional cost to the County. The Second Amendment was subsequently executed.

By resolution approved on May 16, 2024, your Honorable Board authorized the County to exempt from the County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, the procurement of an amendment to the Agreement (“Third Amendment”) to extend the term of the agreement by an additional period of five months, from July 31, 2024 through December 31, 2024, at no additional cost to the County, in order to allow the involved municipalities sufficient time to solicit proposals for the implementation of recreational programs which will be reflected in the Market Analysis. The Third Amendment was subsequently executed.

The County now desires to further amend the Agreement to extend the term of the agreement for an additional period, commencing retroactively on January 1, 2025 through March 31, 2027, at no additional cost to the County, in order to allow for the completion of all administrative closeout activities, and any other actions necessary to ensure proper administration of the grant funds.

Accordingly, authority is now respectfully requested from your Honorable Board to authorize the County to exempt from the County Procurement Policy, pursuant to Section 3(a)(xxi) thereof, the procurement of an amendment to the Agreement (“Fourth Amendment”) in order to further extend the term of the Agreement by an additional period, commencing retroactively on January 1, 2025 through March 31, 2027, at no additional cost to the County.

Except as specifically amended hereby, all remaining terms and conditions contained in the Resolutions shall remain in full force and effect.

An appropriate resolution to accomplish the above proposed changes is herewith attached.

RESOLUTION

Upon a communication from the County Executive, be it hereby:

RESOLVED, that pursuant to Section 3(a)xxi of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interest of the County of Westchester in connection with the procurement of an amendment to an agreement with Community Capital New York, Inc. (“CCNY”), pursuant to which CCNY was to administer payments to religious and not-for-profit corporations under the Business FIRST program (“Program”), including businesses certified as Minority or Woman Owned Business Enterprises (MWBEs), Disadvantaged Business Enterprises (DBEs) and Service-Disabled Veterans (SDVBES), who qualify for the Program, with the County transferring up to \$15,300,000.00 to CCNY to be distributed to such eligible grantees and to prepare a market analysis to revitalize the downtown areas of four (4) pilot towns in Westchester, for a term from January 1, 2022 through December 31, 2024, for an amount not to exceed \$1,700,000.00, in order to further extend the term of the Agreement for an additional period, commencing retroactively on January 1, 2025 through March 31, 2027, at no additional cost to the County.