

Kenneth W. Jenkins  
Westchester County Executive

Department of Social Services

Leonard G. Townes  
Commissioner

110175

DATE: December 13, 2024

TO: Honorable Members of the Board of Acquisition and Contract

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

SUBJECT: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, the procurement of an agreement with the Child Care Council of Westchester, Inc. to provide registration activities for school-age child care providers and related services, for the period from January 1, 2025 through December 31, 2025.

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Authorization is requested for the County of Westchester (the "County") to exempt from the Westchester County Procurement Policy and Procedures (the "Policy"), pursuant to Section 3(a)xxi thereof, the procurement of an agreement (DSS7009A-25) with the Child Care Council of Westchester, Inc. ("CCCW"), pursuant to which CCCW will provide registration activities for school-age child care providers and registered family day care providers and to conduct mandated investigations, oversee fingerprinting of care providers and their employees and the processing of complaints registered against child care providers.

Ordinarily, pursuant to Section 6 of the Policy, the County is required to solicit proposals for such services through the issuance of a Request for Proposals. However, CCCW is the Child Care Resource and Referral agency for Westchester County pursuant to Title 5-B of the Social Services Law. As such, it is the only Westchester County based agency that is designated and staffed to conduct the required services. The CCCW assists in making safe and affordable day care services available to low income families in the County of Westchester. In order to promote safety, the providers and their employees are fingerprinted and they then undergo a criminal background check. The CCCW also investigates complaints and non-compliance allegations regarding providers.

It is essential that the agency performing these services has an established relationship with the day care providers in the County and an established relationship with the New York State Office of Children and Family Services ("NYS OCFS"). The CCCW has been the provider of the requested services for approximately 23 years. Their performance is monitored by the NYS OCFS and they are subject to fiscal sanctions should they not achieve state mandates. The CCCW has not received any sanctions as a result of major non-compliance with performance standards. In addition, the CCCW has a long standing relationship with the providers. Their familiarity with and knowledge of the child care provider community allows them to promptly address problems that arise. This knowledge allows them to refer subsidy eligible parents/guardians to the most suitable providers, many of whom, due to state mandates, they have evaluated.

Pursuant to Section 3(a) xxi thereof, the Policy is not applicable to any procurement for which your Honorable Board determines, prior to commencing such procurement, that compliance with the Policy would not be in the best interest of the County. For the reasons set forth above, it is determined that compliance with the Policy is not in the best interest of the County in connection with the procurement of an agreement with CCCW for the provision of registration activities for school-age child care providers and related services.

Accordingly, a resolution to exempt the procurement of this Agreement is hereby submitted for your Honorable Board's consideration.

Attachment

LGT/EM/tml

APPROVED BOARD OF ACQUISITION & CONTRACT 01/16/2005 RAYMOND SCUKO (SECRETARY)

## RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, 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 agreement (DSS7009A-25) with the Child Care Council of Westchester, Inc. to provide registration activities for school-age child care providers and registered family day care providers and related services, for the period from January 1, 2025 through December 31, 2025.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/16/2025 - RAYMOND S. SOKRIS, SECRETARY