

RESOLUTION NO. 72/-2010, AMENDING THE CONSULTANT SERVICES PROCUREMENT POLICY FOR CHILD DAY CARE CENTER PROVIDERS, GROUP FAMILY DAY CARE HOME PROVIDERS, AND SCHOOL AGE CHILD CARE PROVIDERS

WHEREAS, Resolution No. 1044-95, codified at Section 708-6(E) of the SUFFOLK COUNTY CODE, establishes procurement procedures and dictates the use of procurement contracts for "client services", those services being programs contracted for by the County on behalf of third party clients, including, but not limited to, programs to provide social services; and

WHEREAS, Resolution No. 1044-1995 also directed the County Department of Social Services and any other pertinent agency or department to waive any request for proposal (RFP) or request for qualification (RFQ) requirement in the selection process that leads to the award of contracts for foster care services and family day care services; and

WHEREAS, Section 708-6 does not authorize a waiver from the RFP or RFQ requirements for other modalities of child care services, specifically child day care center services, group family day care home services, and school-age child care services, but a waiver of RFP or RFQ requirements is equally appropriate for these other modalities; and

WHEREAS, child care center providers and group family day care providers are subject to the licensing requirements of New York State, and school age child care programs must be registered with New York State, and the possession of a current license or registration in and of itself qualifies these providers for contracts with the Department of Social Services; now, therefore be it

1st **RESOLVED**, Chapter 708 of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 708, PURCHASING

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ARTICLE III, Consultant/Personal Services Procurement

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§ 708-6. Exceptions.

* * * *

E. Use of procurement contracts for client services.

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- (4) Suffolk County and the County Department of Social Services or any other pertinent agency or department shall waive any RFP or request for qualification requirement in the selection process that leads to the award of contracts for foster care

services, child day care center services, group family day care home services, school-age child care services, or family day-care services. For the purposes of this subsection 708-6(E)(4), the term "foster care services" shall be defined as that term is used in Suffolk County's Child and Family Services Plan administered by the County's Department of Social Services, as same may be amended from time to time. For the purposes of this subsection 708-6(E) (4), the terms "family day-care services", "child day care center services", and "school-aged child care services" shall [mean] be defined as each of such terms is defined in Title 18 of the New York Code of Rules and Regulations (18 NYCRR 413.2), as may be amended from time to time [caring for children for more than three hours per day per child in a family home for at least three, but not more than six, children by an individual or individuals acting as individuals (not as a for-profit, nonprofit or not-for-profit organization) and who are not associated with other providers of family day-care services for purposes of collecting, qualifying for or securing payment or reimbursement for such family day-care services from federal, state or local government. A family day-care services provider may, however, care for seven or eight children at any one time if no more than six of the children are less than school age and the school-aged children receive care primarily before or after the period such children are ordinarily in school, during school lunch periods, on school holidays or during those periods of the year in which school is not in session in accordance with the regulations of the County Department of Social Services and the Department inspects such home to determine whether the provider can care adequately for seven or eight children. Nothing contained herein shall be construed as preventing any providers of family day-care services from associating or affiliating with each other for purposes other than collecting, qualifying for or securing payment or reimbursement for such family day-care from federal, state or local government].

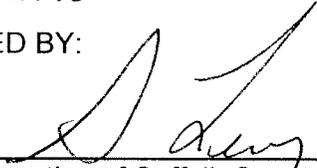
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and be it further

2nd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED: **AUG 03 2010**

APPROVED BY:



County Executive of Suffolk County

Date: **AUG 06 2010**

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on August 3, 2010 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 11094 Res. No. 721

August 3, 2010

Motion:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	18				

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule _____
<input type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Roll Call _____ Voice Vote

Tim Laube

Tim Laube, Clerk of the Legislature