



**Department of
Social Services**

Human Resources
Administration

Department of
Homeless Services

W-1
01/22

Gary P. Jenkins
Commissioner

July 29, 2022

150 Greenwich Street
New York, NY 10007

929 221 7315

Honorable Brad Lander
Comptroller
New York City Office of the Comptroller
One Centre Street
New York, New York 10007

Honorable Sylvia Hinds-Radix
Corporation Counsel
New York City Law Department
100 Church Street
New York, New York 10007

Re: Declaration of Emergency for Asylee Services and Shelter

Dear Mr. Lander and Ms. Hinds-Radix:

Pursuant to Section 315 of the New York City Charter and Section 3-06 of the Procurement Policy Board (“PPB”) Rules, I hereby declare an emergency. Your authorization is requested in order to enter into contracts to provide an Asylum Seeker Service Referral Center (hereinafter “Referral Center”) as well as one or more asylum seeker housing facilities (hereinafter “Facilities”) to respond to the significant increase in asylum-seeking families and individuals arriving in New York City. I am making this emergency declaration on behalf of the City of New York and the agencies associated with this emergency.

As a city of immigrants, New York has a long history of welcoming newcomers with open arms. Over the past several months, we have seen a significant increase in the number of asylum seekers arriving in our City’s shelter system. As of July 28, 2022, approximately 4,000 asylum seekers have entered the shelter system in the past three months which has been the primary driver of the approximately 10% increase in the DHS census. In addition, on average, the City’s shelter system is currently receiving over 100 additional individuals seeking some form of housing per day. To protect individuals from federal detainment or deportation, and because the City provides shelter to all who need it — regardless of immigration status — the City does not track individuals’ immigration status on intake forms. Accordingly, this is a conservative estimate based on comprehensive interviews of people entering the City shelter system. Given the rate of asylum seekers has remained consistent, an additional influx

of approximately 4,000 individuals would require a significant number of new shelter sites to ensure appropriate capacity. The overall number of asylum seekers needing non-shelter services and support is larger but unknown given the federal government is unable to provide an estimate of families and individuals assigned to New York City for their asylee hearings. However, based on recent trends in moving asylum-seeking families and individuals to the northeastern United States, particularly the City of New York, it is anticipated that emergency services will likely be needed for additional asylum seekers in the near and long term future.

Pursuant to New York State law, DHS provides temporary emergency housing to individuals and families experiencing homelessness in New York City. DHS carefully projects expected census and shelter capacity to ensure the City meets our mandate as a right to shelter location. The asylum-seeking population that has arrived in the past few months was not anticipated when determining capacity needs. In addition, as described below, the asylum-seeking population require specialized services that are not available or appropriate within the shelter system.


Asylum seekers require specific supports, including advocacy on their individual asylum cases and providing assistance with specialized linkages to the community, that the current universe of housing offered by the City would not be applicable or appropriate. Given these unique needs and supports of the asylum-seeking population, the City will be required to open one or more standalone Facilities, to be run by non-profit provider(s). The sites will provide targeted supports to these arriving families and individuals that go beyond standard support structures and programming. The City anticipates procuring enough housing to meet the immediate and future needs during the length of this crisis.

Additionally, pursuant to N.Y. Soc. Serv. L. § 133 and 18 N.Y.C.R.R. § 351.8 (c) (4), the City must retain a not-for-profit provider to operate the Referral Center. This Referral Center will conduct intake and assessment to determine the services that are required by each asylum-seeking individual and/or family. The vendor will provide referral services to governmental and non-governmental resources located on-site and within the community. For example, the assessment may result in a determination that a particular individual requires legal support to navigate the hearing process as well as a connection to the Department of Education to enroll a child into public school. While the City conducts intake and referrals for specific categories of services, there are no providers who currently provide this comprehensive and specific type of assessment, and the City does not have sufficient staff available to staff the center itself. Moreover, the City is currently finalizing the service referral center model to appropriately procure a provider and determine a cost estimate for the Referral Center.

Please note that one or more emergency services described herein will be procured by one or more Mayoral Agenc(ies) that would be appropriate to meet the immediate needs of this population, including but not limited to the Human Resources Administration, Department of Homeless Services, Department of Housing Preservation and Development, Department of Health and Mental Hygiene, Mayor's Office of Immigrant Affairs, Department of Education and New York City Emergency Management. The Facilities contracts will be administered by the Department of Homeless Services, as applicable, for purposes of maximizing efficiency. Final determination as to the Agenc(ies)' operation of the Referral Center emergency contract will be dependent of the City's final determination on which Mayoral Agenc(es) have the statutory authority to provide such services. Neither the Referral Center nor the Facilities shall be deemed to be a part of any Agency's normal systems.

Pursuant to Section 3-06 (a) of the PPB Rules, an emergency condition is an unforeseen danger to life, safety, property, or a necessary service and the existence of such an emergency condition creates an immediate and serious need that cannot be met through the normal procurement methods. There is a critical need to intervene where a necessary service is required for the health and welfare of the City's most vulnerable populations. If their immediate needs are not met, as in this case the need for asylum seeker services and housing supports, the health, safety and the welfare of these individuals will be compromised. As unforeseen circumstances have emerged, it has become impossible to procure these vital services through normal procurement methods. In order to ensure the provision of these services, it is necessary to declare an emergency. Thank you for your assistance in this urgent matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary P. Jenkins", with a stylized flourish at the end.

Gary P. Jenkins
Commissioner