

**58870**

**DATE:** September 11, 2017

**TO:** Board of Acquisition & Contract

**FROM:** Mae Carpenter, Commissioner  
Department of Senior Programs and Services

**RE:** Authority for the County of Westchester to amend Agreements with the eleven (11) entities set forth below pursuant to which said entities agreed to operate nutrition programs for the elderly under Titles IIC-1, IIC-2, and the Nutritional Services Incentive Program of the Older Americans Act for the program period January 1, 2017 through December 31, 2017, by revising Paragraph "1" of said Agreements to correct the inadvertent transposition of Schedules "B" and "C" attached thereto.

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By resolution approved on February 10, 2017 (the "February 10<sup>th</sup> Resolution"), your Honorable Board authorized the County, through its Department of Senior Programs & Services (the "Department") to, *inter alia*, enter into inter-municipal and inter-agency agreements with the seventeen (17) entities (the "Contractors") set forth in Schedule "A", attached to the February 10<sup>th</sup> Resolution, for the purpose of administering various nutrition programs for the elderly in a total aggregate amount not-to-exceed \$1,532,599 in the individual amounts also set forth in Schedule "A", attached to the February 10<sup>th</sup> Resolution, for the period from January 1, 2017 through December 31, 2017, with the County having the sole option to enter into one (1) successive one (1) year agreement, subject to the further approval of this Board (the "Agreement"). Contracts with eleven (11) of the seventeen (17) Contractors, as listed below, have been executed (the "Executed Agreements"):

1. Cortlandt
2. Eastchester
3. Mamaroneck
4. Mount Kisco
5. Mount Vernon
6. New Rochelle
7. Ossining
8. Port Chester
9. Somers
10. Yorktown
11. Westchester Jewish Community Services

Due to a clerical error, two of the Schedules attached to the Executed Agreements were mistakenly transposed. As a consequence, Paragraph "1" of the Executed Agreements incorrectly provides that Schedule "B" describes the "Work" and that Schedule "C" contains the "Standard Assurances" that are required by the New York State Office for the Aging. However, it is actually Schedule "B" that

contains the Standard Assurances, while Schedule "C" describes the "Work" and contains the Budget.

Rather than having the Contractors submit revised budgets and Standard Assurances, it is proposed that the Executed Agreements be amended by simply revising Paragraph "1" to reflect that Schedule "B" contains the Standard Assurances, while Schedule "C" describes the "Work" and contains the Budget. Accordingly, authority is respectfully requested to amend the Executed Agreements for the limited purpose of revising Paragraph "1" to reflect that Schedule "B" contains the Standard Assurances, while Schedule "C" describes the "Work" and contains the Budget.

Except as specifically amended hereby, all remaining terms and conditions set forth in the Executed Agreements shall remain in full force and effect.

Accordingly, I most respectfully recommend adoption of the attached proposed resolution.

## RESOLUTION

Upon communication from the Commissioner of the Westchester County Department of Senior Programs and Services:

**RESOLVED**, that the County of Westchester is hereby authorized to amend inter-municipal and inter-agency agreements with the eleven (11) entities ("Contractors") listed below (the "Agreements"), pursuant to which said Contractors agreed to operate nutrition programs for the elderly under Titles IIIC-1, IIIC-2, and NSIP of the Older Americans Act for the program period commencing on January 1, 2017 through December 31, 2017, by revising Paragraph "1" of said Agreements for the limited purpose of reflecting that Schedule "B" contains the "Standard Assurances" required by the New York State Office for the Aging, while Schedule "C" describes the "Work" and contains the Budget:

1. Cortlandt
2. Eastchester
3. Mamaroneck
4. Mount Kisco
5. Mount Vernon
6. New Rochelle
7. Ossining
8. Port Chester
9. Somers
10. Yorktown
11. Westchester Jewish Community Services

; and be it further

**RESOLVED**, that except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the Agreements shall remain in full force and effect; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Account to be:

	Fund	Dept.	Major Program Program & Phase , Unit	Object/Sub Object	Trust Account	Dollars
Credited						
Credited						
Credited						
Credited						
Charged						
Charged						
Charged						
Charged						

Budget Funding Year(s): Unit 941S & 942S 2017      Start Date 1/1/17      End Date 12/31/17

(must match resolution)

Unit 939R 2016 - 2017      Start Date 10/1/16      End Date 9/30/17

Funding Source

Tax Dollars \$ 0

State Aid \$ 0

\$

Federal Aid \$

(must match resolution)

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