

21432

DATE: September 6, 2011

TO: Honorable Members of the Board of Acquisition and Contract

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

RE: Authority to amend an agreement with Westchester Jewish Community Services, Inc. for respite sitter companion services for caregivers providing for persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations, in order to exercise the County's second renewal option and thereby extend the term of the agreement for one additional year and increase the amount not-to-exceed authorized under the agreement

By resolution approved on April 9, 2009, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Westchester Jewish Community Services, Inc. ("WJCS"), pursuant to which WJCS was to provide respite sitter companion services (the "Programs") to caregivers providing for persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations, for an amount not-to-exceed \$106,293, to be paid pursuant to an approved budget, for the period commencing on April 1, 2009 and continuing through March 31, 2010, with the County having the sole option to renew the agreement for two additional one-year periods, subject to the further approval of your Honorable Board (the "Agreement"). The Agreement was subsequently executed.

Thereafter, by resolution approved on May 6, 2010, the County exercised its first renewal option under the Agreement by (1) amending the term of the Agreement from April 1, 2009 through March 31, 2010 to April 1, 2009 through March 31, 2011; (2) increasing the amount not-to-exceed thereunder by an additional \$103,093 for services rendered during the renewal period, for a new total contract amount not-to-exceed \$209,386; and (3) reflecting the County's one remaining option for a one year renewal under the Agreement (the "First Amendment"). In addition, WJCS agreed to contribute \$3,200 in matching funds to the Program. The First Amendment was subsequently executed.

The County now seeks authority to exercise the second and final renewal option authorized by your Honorable Board and, as a result, (1) amend the term of the Agreement, as previously amended, from April 1, 2009 through March 31, 2011 to April 1, 2009 through March 31, 2012; and (2) increase the amount not-to-exceed authorized under the Agreement by an

additional \$106,293 for services to be rendered during the renewal period from April 1, 2011 through March 31, 2012, for a new total contract amount not-to-exceed \$315,679 (the "Second Amendment"). In addition, WJCS will contribute \$3,200 in matching funds to the Program.

Except as specifically amended hereby, all remaining terms and conditions of the Agreement, as previously amended, shall remain the same.

The proposed Second Amendment will serve a public purpose by continuing to provide supportive services to help maintain Westchester County seniors in the community and avoid premature institutionalization. These funds help provide the support that enables caregivers to continue to provide the assistance the elderly need to help them remain in the community and out of more expensive and less desired nursing home environments.

The goals and objectives of the proposed Second Amendment are to provide caregivers of seniors with respite from their caregiving responsibilities, which would allow more seniors to remain at home, thus preventing institutionalization.

The goals and objectives of the proposed Second Amendment are in the best interests of Westchester County in terms of fiscal responsibility because it effectively allows seniors to remain at home, thus preventing costly institutionalization.

The goals and objectives of the proposed Second Amendment will be tracked and monitored on an ongoing basis through monthly reports and site visits by Department of Senior Programs and Services staff members.

Accordingly, approval of the attached resolution is most respectfully recommended.

MC/MJ/jpg/nn

RESOLUTION

Upon a communication from the Commissioner of the Westchester County Department of Senior Programs and Services, be it hereby:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an agreement with Westchester Jewish Community Services, Inc. ("WJCS"), as previously amended, pursuant to which WJCS was to provide respite sitter companion services to caregivers providing for persons who are 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations, for a total aggregate amount not-to-exceed \$209,386, to be paid pursuant to an approved budget, for the period April 1, 2009 through March 31, 2011, and with the County having the sole option to renew the Agreement for one additional one-year period (the "Agreement"), in order to exercise the County's second renewal option under the Agreement, and, therefore, (1) amend the term of the Agreement from April 1, 2009 through March 31, 2011 to April 1, 2009 through March 31, 2012; and (2) increase the amount not-to-exceed under the Agreement by an additional \$106,293 for services to be rendered during the renewal period April 1, 2011 through March 31, 2012, for a new total contract amount not-to-exceed of \$315,679 (the "Second Amendment"). WJCS will also contribute \$3,200 in matching funds; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreement, as previously amended, shall remain the same; and be it further

RESOLVED, that this Second Amendment is subject to County appropriations; and be it further

RESOLVED, that this Second Amendment is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Amended Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Second Amendment or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Amended Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Original Agreement \$106,293
 First Amendment \$103,093
 This Amendment \$106,293
 TOTAL **\$315,679**

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	85	048L	4380	T-048	\$74,295
101	24	1000	4957	N/A	\$28,798
N/A	N/A	N/A	N/A	N/A	\$ 3,200

Budget Funding Year(s) 2011-2012 Start Date 04/01/11 End Date 03/31/12
 (must match resolution)

	Tax Dollars	<u>\$28,798</u>
Funding Source	State Aid	<u>\$74,295</u>
<u>\$106,293</u>	Federal Aid	\$ _____
(must match resolution)	Other	<u>\$3,200</u>

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/29/2011 JOMARY VIEIRA, SECRETARY