

25732

Date: March 21, 2012

To: Board of Acquisition and Contract

From: Mae Carpenter, Commissioner
Department of Senior Programs & Services

Re: Authority to enter into an agreement with Legal Services of the Hudson Valley (Legal Services) to provide legal assistance for elderly Westchester County residents, 60 and over, for a term commencing January 1, 2012 and continuing through December 31, 2012 in an amount not-to-exceed \$264,816.00

Attached is a Resolution which, if approved by your Honorable Board, would authorize the County, acting by and through its Department of Senior Programs & Services (the "Department"), to enter into an agreement with Legal Services of the Hudson Valley ("Legal Services"), pursuant to which Legal Services will provide legal assistance for elderly Westchester County residents, 60 and over. The term of the Agreement will commence January 1, 2012 and continue through December 31, 2012. In consideration for services to be rendered, Legal Services will be paid an amount not-to-exceed \$264,816.00, comprised of \$133,410.00 in Federal funds and \$131,406.00 in County funds, pursuant to an approved budget. The County, at its sole option, may renew the Agreement for up to two (2) additional one (1) year periods, subject to the prior approval of your Honorable Board.

Services to be provided by Legal Services will include, without limitation, representation, consultation, advocacy, referrals, legal appeals, assistance with public benefits applications, housing matters, consumer problems, long term care problems, family court, and such other legal services as may become necessary.

The proposed agreement will serve a public purpose by providing Legal assistance for elderly Westchester County residents, 60 and over. Public awareness campaigns will also be conducted to educate the public on matters related to the elderly person's rights.

The goals and objectives of the program are to provide access to legal services, decrease financial abuse and further the legal rights of the elderly through the skillful and innovative use of the law.

This program is in the best interest of the County in terms of public safety and economic security in that it discusses with seniors civil legal services, and the services that

are available throughout the county for seniors who are experiencing abuse and financial exploitation.

The services will be tracked, monitored and evaluated through monthly reporting activities and annual on-site reviews to determine if the contract performance goals and objectives are being met in a fiscally responsible and appropriately safe fashion. Annually, the New York State Office for the Aging shall monitor and evaluate if the Department is meeting its requirements to conduct proper oversight. Additionally, client satisfaction will be monitored through the use of surveys.

Legal Services has provided free, high quality legal assistance to low-income and vulnerable persons in Westchester County for many years. They specialize in providing assistance to elderly persons who are facing evictions, those who are victimized by abuse, neglect and misappropriation of their resources, persons needing health care, benefits, home care, home-delivered meals, transportation, and trust/estate issues.

In accordance with Section 7 of the Westchester County Procurement Policy, on November 22, 2011, the Department issued a Request for Proposals ("RFP") to invite qualified agencies to submit proposals to provide various legal services to elderly Westchester residents who are victims of abuse and/or to provide legal assistance and civil elder care services to elderly Westchester residents. The Proposal due date was December 15, 2011. In an effort to solicit as many proposers as possible, on October 18, 2011 the Department held a public meeting to announce the various services for which it would be issuing RFPs for 2012. In advance of the public meeting, the Department sent out 1500 notices to aging service providers to invite them to attend the meeting. The Department also placed a legal notice in the newspaper announcing the public meeting three (3) weeks prior to the meeting date. In addition, the Department sent out another 1500 notices to aging service providers to attend a second public meeting, the RFP applicants meeting. Copies of the RFP were also mailed to all providers that requested one. The RFP was also posted on the County's website. Despite these efforts, only one (1) proposal was received in response to the RFP. This proposal was submitted by Legal Services.

Legal Services' proposal was evaluated on both technical and financial criteria, including but not limited to, qualifications and experience, technical knowledge, implementation methodology, soundness of the proposed program, program design, familiarity with legal services for the elderly. After carefully reviewing the proposal with reference to the evaluation criteria set forth in the RFP, Legal Services was selected to provide legal assistance to elderly Westchester residents because it met the required specifications. In addition, Legal Services is currently working with the Department to provide legal assistance, and has significant expertise and experience helping and educating Westchester seniors on various issues relevant to them.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

RESOLUTION

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

RESOLVED, that the County of Westchester, acting by and through its Department of Senior Programs & Services, is authorized to enter into an agreement with Legal Services of the Hudson Valley (the "Contractor"), to provide legal assistance to elderly Westchester County residents, 60 and over, for a term commencing January 1, 2012 and continuing through December 31, 2012; and it is further

RESOLVED, that in consideration for services to be rendered, Legal Services shall be paid an amount not-to-exceed \$264,816.00, comprised of \$133,410 in Federal funds and \$131,406.00 in County funds, pursuant to an approved budget; and be it further

RESOLVED, that the County, at its sole option, may renew the Agreement for up to two (2) additional one (1) year periods, subject to the prior approval of your Honorable Board; and be it further

RESOLVED, that the Agreement with the Contractor is subject to County appropriations; and be it further

RESOLVED, that the agreement with the Contractor is also subject to the further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of these Agreements. 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 the Agreement with the Contractor or to renegotiate the amounts and rates approved therein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be Credited/Charged	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
	263	85	686M	4380	686	\$264,816.00

Budget Funding Year(s) 2012 Start Date 1/01/2012 End Date 12/31/12
(must match resolution)

Funding Source Tax Dollars \$131,406.00
State Aid _____
\$ 264,816.00 Federal Aid \$133,410.00
(must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/19/2012 - JOMAR VERA, SECRETARY