

**27611**

**DATE:** June 18, 2012

**TO:** Board of Acquisition and Contract

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

**RE:** Authority to enter into five (5) separate agreements with five (5) separate entities as identified within Schedule "A; to provide Livable Community Regional Host services under Title III-B of the Older Americans Act; for a total aggregate not-to-exceed amount of \$160,000.00 from January 1, 2012 through December 31, 2012

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Authority is requested for the County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department"), to enter into five (5) separate agreements (the "Agreements") with five separate entities identified as 1) The City of New Rochelle, 2) The City of Yonkers, 3) Elderserve Licensed Home Care Services Agency, Inc., 4) Family Services of Westchester, Inc. and 5) Westchester Jewish Community Services, Inc.; with all as further identified in the attached Schedule "A" (the "Schedule "A" parties"); to provide Livable Community Regional Hosts services (the "Program") under Title III-B of the Older Americans Act from January 1, 2012 through December 31, 2012 and for an aggregate amount not-to-exceed amount of \$160,000.00; to be paid pursuant to approved budgets for each agreement.

As two of the six total proposed agreements are with the City of Yonkers and the City of New Rochelle (the "municipalities"), the County Board of Legislators (the "BOL") authorized the County to enter such agreements by BOL ACT-2012-36, adopted on April 16, 2012.

Regarding the County's proposed agreements with the municipalities, the County requests authority, subject to your Honorable Board's prior approval, to have the sole option to enter into successive one (1) year agreements with each for a term January 1, 2013 through December 31, 2013.

Regarding the County's proposed agreements with the non-municipal entities identified above and in the attached Schedule "A", the County requests authority, subject to your Honorable Board's prior approval, to have the sole option to extend the term of its agreements with each for a maximum of two (2) successive one (1) year terms, from January 1, 2013 through December 31, 2013 and from January 1, 2014 through December 31, 2014.

The aggregate not-to-exceed amount of \$160,000.00 that the County shall pay to the Schedule "A" parties shall be federal funds under Title III-B of the Older Americans Act, and shall be distributed to the County pursuant to a grant agreement between the County of Westchester and New York State Office for the Aging which your Honorable Board authorized the County to enter into by Resolution dated April 5, 2012.

The Agreements will **serve a public purpose** by providing County seniors with supportive services to help them maintain their presence in the community and avoid their premature institutionalization.

The **goals and objectives** of the proposed Agreements shall be to offer opportunities to County seniors to engage in activities and projects that will reduce their isolation, increase their social and civic engagement and promote advocacy on their behalf.

The **goals and objectives** of the agreements are in the County's **best interests** regarding **fiscal responsibility** as the services to be provided thereto will help delay premature institutionalization of County seniors, thereby saving County expenditures for the cost of same.

The **goals and objectives** shall be **tracked and monitored** through monthly reporting activities submitted by the Schedule "A" parties and by the Department through onsite reviews to determine if the contract performance goals and objectives are being met in a fiscally responsible and appropriate fashion.

The agreements are exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof. Notwithstanding such exemption, the Department issued a Request for Proposals (the "RFP") on November 11, 2011 and received six (6) total RFP proposals with five (5) received from the Schedule "A" parties and one (1) from Westchester Community College ("WCC"), a County agency.

The Department evaluated the proposals pursuant to both technical and financial criteria that included qualifications and experience, technical knowledge, implementation methodology, program soundness and program design.

The Department selected the Schedule "A" parties as their RFP proposals, in addition to meeting RFP specifications, maximize delivery of program services with regard to the budgeted not-to-exceed amount for each agreement.

Additionally, each Schedule "A" parties' RFP response proposes providing program services to specific County regions that each party had previously accomplished to the Department's satisfaction through their prior agreements with the County.

Lastly, the approval of your Honorable Board regarding WCC is not required as it is an agency of Westchester County.

Accordingly, I recommend adoption of the proposed resolution.

MC/SJ/cji

## 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 is hereby authorized to enter into five (5) separate agreements with five (5) separate entities identified as 1) The City of New Rochelle, 2) The City of Yonkers, 3) Elderserve Licensed Home Care Services Agency, Inc., 4) Family Services of Westchester, Inc., and 5) Westchester Jewish Community Services, Inc. (the "Agreements") as further identified in the attached Schedule "A"; to provide Livable Community Regional Host services under Title III-B of the Older Americans Act, from January 1, 2012 through December 31, 2012 and for a total aggregate not-to-exceed amount of \$160,000.00; to be paid pursuant to approved budgets for each agreement; and be it further

**RESOLVED**, that the County, at its sole option, may enter into separate successive one (1) year agreements with the City of New Rochelle and the City of Yonkers, from January 1, 2013 through December 31, 2013; and be it further

**RESOLVED**, that the County, at its sole option, may extend the term of its agreements with 1) Elderserve Licensed Home Care Services Agency, Inc., 2) Family Services of Westchester, Inc. and 3) Westchester Jewish Community Services, Inc., for a maximum of two (2) additional one (1) year terms, from January 1, 2013 through December 31, 2013 and from January 1, 2014 through December 31, 2014; and be it further

**RESOLVED**, that the Agreements are subject to County appropriations; and be it further

**RESOLVED**, that the Agreements 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 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 Agreements 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 the Agreements upon reasonable prior written notice; 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 charged                          | Fund        | Dept. | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars      |
|  | 263         | 85    | 686M                                   | 4380               | T686          | \$160,000.00 |
| Budget Funding Year(s) (must match resolution) | 2012        |       | Start Date                             | 1/1/12             | End Date      | 12/31/12     |
| Funding Source                                 | Tax Dollars |       | \$ _____                               |                    |               |              |
|  | State Aid   |       | \$ _____                               |                    |               |              |
| \$160,000.00 (must match resolution)           | Federal Aid |       | \$160,000.00                           |                    |               |              |
|  | Other       |       | _____                                  |                    |               |              |

APPROVED BOARD OF ACQUISITION & CONTRACT 07/12/2012 - JOMARY VERA, SECRETARY

**SCHEDULE A**

| <b><u>CONTRACT PARTY</u></b>                              | <b><u>NOT-TO-EXCEED<br/>FEDERAL FUNDS</u></b> | <b><u>NOT-TO-EXCEED<br/>COUNTY FUNDS</u></b> | <b><u>TOTAL</u></b> |
|---|---|--|---------------------|
| City of New Rochelle                                      | \$20,000.00                                   | \$0.00                                       | \$20,000.00         |
| City of Yonkers   | \$20,000.00                                   | \$0.00                                       | \$20,000.00         |
| Elderserve Licensed<br>Home Care Services<br>Agency, Inc. | \$20,000.00                                   | \$0.00                                       | \$20,000.00         |
| Family Services of<br>Westchester, Inc.                   | \$80,000.00                                   | \$0.00                                       | \$80,000.00         |
| Westchester Jewish<br>Community Services, Inc.            | <u>\$20,000.00</u>                            | <u>\$0.00</u>                                | <u>\$20,000.00</u>  |
| <b>TOTAL:</b>   | <b>\$160,000.00</b>                           | <b>\$0.00</b>                                | <b>\$160,000.00</b> |

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/12/2012 - SOMARY VEIRA, SECRETARY