

**34323**

**DATE:** June 04, 2013

**TO:** Board of Acquisition and Contract

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

**RE:** Authority to:

- a) Enter into agreement with Legal Services of the Hudson Valley to provide Legal Assistance for Seniors services for elderly Westchester County residents, 60 and over, in an amount not to exceed \$305,978, to be paid pursuant to an approved budget for the program period January 1, 2013 and continuing through December 31, 2013 and.
- b) Enter into agreement with Pace University by and through its Women's Justice Center to provide Legal Assistance for Victims of Elder Abuse services for elderly Westchester County residents, 60 and over, and to provide Elder Abuse Outreach and Training services in an amount not to exceed \$117,000 to be paid pursuant to an approved budget for the program period January 1, 2013 and continuing through December 31, 2013.

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Attached is a Resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs & Services (the "Department"), to enter into agreements (the "Agreements") with the Legal Services of the Hudson Valley and Pace University by and through its Women's Justice Center (the "Contractors"), to provide Legal Assistance Services for elderly Westchester County residents 60 and over and to provide Elder Abuse Outreach and Training Services (the "Programs"). The term of the Agreements will commence on January 1, 2013 and continue through December 31, 2013, with the County having the sole option to renew the Agreements for up to five (5) additional one (1) year periods, on the same terms and conditions as the initial term, subject to the availability of funds, acceptable past performance and the County obtaining all necessary legal approvals and also subject to the prior approval of your Honorable Board.

The Agreement with Legal Services of the Hudson Valley will be in an amount not to exceed \$305,978, comprised of \$123,404 in federal funds and \$182,574 in county matching funds, to be paid pursuant to an approved budget. Services to be provided 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 Agreement with Pace University by and through its Women's Justice Center will be in an amount not to exceed \$117,000 in county funds to be paid pursuant to an approved budget. Services to be provided will include the aforementioned, in addition to Elder Abuse Outreach and Training services, which will include initiating activities to identify potential clients and encouraging their use of existing services and benefits, training programs for the general public, senior and civic groups, professionals, businesses, first responders and community organizations covering numerous topics regarding elder abuse. Examples of topics include elder abuse identification, prevention, neglect, fraud and financial exploitation.

The proposed Agreements 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 about elder abuse and matters related to the elderly person's rights.

The goals and objectives of the Programs are to eradicate domestic violence, 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.

These Programs are 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. The New York State Office for the Aging shall monitor and evaluate if the Department is meeting its requirements to conduct proper oversight on an annual basis. Additionally, client satisfaction will be monitored through the use of surveys.

In accordance with Section 7 of the Westchester County Procurement Policy, on March 11, 2013, 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 April 1, 2013. In an effort to solicit as many proposers as possible, notice of the RFP was advertised in the Journal News: Westchester, Rockland and Putnam editions on February 7, 2013, the New York Times in the New York Metro Full Tri State edition on February 14, 2013 and the March 2013 issue of the Non Profit Press. The RFP was also posted on the County's website and a press release announcing the 2013 RFPs was sent to the media on February 28, 2013. In addition, the Department announced the various services for which it would be issuing RFPs for 2013 at a public meeting held on September 21, 2012. Prior to the meeting date, the Department also placed a notice in the newspaper on August 26, 2012 to announce the public meeting. Additionally, the Department e-mailed notices to potential providers as well as to several agencies listed in the Minority and Women Owned Business database as providing legal services. Despite these efforts, only two proposals were received in response to the RFP. These proposals were submitted by the Legal Services of the Hudson Valley and Pace University by and through its Women's Justice Center.

The proposals were 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 and familiarity with the provision of services to be rendered, and proposed unit cost. Following a careful review of each proposal with reference to the evaluation criteria set forth in the RFP, they were both selected because they met the required specifications and maximized services in accordance with the budgeted amount. Additionally, both contractors have successfully implemented the Programs through prior agreements with the County.

Accordingly, your favorable action on the attached Resolution is most respectfully recommended.

MC/SJ

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/11/2013  
TOMAR VERA SECRETARY

## RESOLUTION

UPON A COMMUNICATION FROM MAE CARPENTER, COMMISSIONER, WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES, BE IT HEREBY:

**RESOLVED**, that the County of Westchester (the "County") is authorized to enter into an agreement with Legal Services of the Hudson Valley (the "Contractor"), to provide Legal Assistance for Seniors services (the "Program") to elderly Westchester County residents, 60 and over, in an amount not to exceed \$305,978, comprised of \$123,404 in federal funds and \$182,574 in county matching funds, to be paid pursuant to an approved budget for a term commencing January 1, 2013 and continuing through December 31, 2013; and it is further

**RESOLVED**, that the County of Westchester (the "County") is authorized to enter into an agreement with Pace University by and through its Women's Justice Center (the "Contractor"), to provide Legal Assistance for Victims of Elder Abuse services to elderly Westchester County residents, 60 and over and to provide Elder Abuse Outreach and Training services, (the "Programs") in an amount not to exceed \$117,000 in county funds to be paid pursuant to an approved budget for a term commencing January 1, 2013 and continuing through December 31, 2013; and it is further

**RESOLVED**, that the County, at its sole option, may renew the Agreements with each Contractor for up to five (5) additional one (1) year periods, subject to the prior approval of your Honorable Board; and be it further

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

**RESOLVED**, that the Agreements with the Contractors are 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 Agreements with the Contractors or to renegotiate the amounts and rates approved therein. If the County subsequently offers to pay a reduced amount to the Contractors, then the Contractors 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 is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

These Agreements \$422,978  
 TOTAL \$422,978  
 Agreement #

Account to be Credited/Charged	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
Charged	263	85	686N	4830	T686	\$422,978

Budget Funding Year(s) 2013 Start Date 1/01/2013 End Date 12/31/13  
 (must match resolution)

Funding Source Tax Dollars \$299,574  
 State Aid \$0  
\$422,978 Federal Aid \$123,404  
 (must match resolution) Other \$0

APPROVED BOARD OF ACQUISITION & CONTRACT - 27/11/2013 - JOMAR VEIRA, SECRETARY