

35135

**DATE:** July 23, 2013

**TO:** Board of Acquisition & Contract

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

**RE::** Request for authority to:

- a) Enter into an agreement with the State of New York acting through the New York State Office for the Aging to accept a grant in the amount of \$54,074 to implement the AAA Transportation Program for the program period April 1, 2013 through March 31, 2014; and
- b) Enter into inter-municipal agreements with the eight (8) contractors set forth in the attached Schedule A to provide group transportation services for Westchester County seniors in an aggregate amount not to exceed \$54,074, for the program period April 1, 2013 through March 31, 2014.

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The attached Resolution, if approved by your Honorable Board, will authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department"), to enter into an agreement with the New York State Office for the Aging ("NYSOFA") to accept a grant in the amount of \$54,074 for the purpose of implementing the New York State AAA Transportation Program for the program period April 1, 2013 through March 31, 2014.

Authority is also sought to enter into inter-municipal agreements (the "Agreements") with the eight (8) contractors listed in the attached Schedule "A" (the "Contractors") pursuant to which the Contractors will provide group transportation services for County seniors for an aggregate amount not to exceed \$54,074, in the individual amounts also set forth in Schedule A, for the program period April 1, 2013 through March 31, 2014, with the County having the sole option to renew the Agreements for up to five (5) additional one-year periods, subject to the prior approval of the County Board of Legislators and your Honorable Board.

By Act No. 125 – 2012, adopted on September 10, 2012 the Board of Legislators authorized the inter-municipal agreements with County municipalities, including the Contractors, in connection with the AAA Transportation Program. The existing authorization is due to expire on March 31, 2014 and a new authorization will be needed

to enter into new agreements. Therefore, it should be noted that any Agreement renewals with the Contractors are contingent upon a subsequent approved Board Act as well as the approval of your Honorable Board.

The Agreement will serve a public purpose by supplementing current transportation costs for low-income elderly Westchester residents, thus ensuring their freedom of mobility throughout the County. Among other things, funds will be used for fuel reimbursement for transporting seniors to and from senior center nutrition sites as well as transporting seniors to and from shopping centers and medical appointments.

The Grant Agreement with NYSOFA does not constitute a procurement and as such, is not subject to the requirements of the Westchester County Procurement Policy. The Agreements with the Contractors are exempt pursuant to Section 3 (a) Subsection iii of the Policy.

I certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

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

MC/SJ

Att.

## RESOLUTION

UPON 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") be and is hereby authorized to enter into an Agreement with the State of New York, acting by and through the New York State Office for the Aging, to accept a grant in the amount of \$54,074 to implement the New York State AAA Transportation Program for the program period April 1, 2013 through March 31, 2014; and be it further
- RESOLVED:** that the County of Westchester be and is hereby authorized to enter into inter-municipal agreements (the "Agreements") with the eight (8) Contractors listed in the attached Schedule "A" pursuant to which the Contractors will provide group transportation services for Westchester County seniors for an aggregate amount not-to-exceed \$54,074, in the individual amounts also set forth in Schedule A, for the program period April 1, 2013 through March 31, 2014; and be it further
- RESOLVED:** that the County at its sole option may renew the Agreement with each Contractor for up to five (5) additional one (1) year periods, subject to the approval of the Westchester County Board of Legislators and 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 this 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 the Agreement 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 be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Original Agreement: \$54,074  
 Agreement # N/A

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	85	813N	4380	T813	\$54,074
263	85	813N	9854	T813	\$54,074

Budget Funding Year(s) 2013-2014 Start Date 4/1/13 End Date 3/31/14  
 (Must match resolution)

Funding Source

\$54,074  
 (must match resolution)

Tax Dollars \_\_\_\_\_  
 State Aid \$54,074  
 Federal Aid \_\_\_\_\_  
 Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/15/2013 - JOMARY VIEIRA, SECRETARY

## SCHEDULE A

### AAA Transportation

<b>Municipality</b>	<b>State Funds</b>
Cortlandt	\$3,874
Eastchester	\$1,760
Greenburgh	\$9,157
Mount Pleasant	\$5,565
Mount Vernon	\$18,010
New Rochelle	\$1,848
Peekskill	\$1,947
Somers	\$6,935
White Plains	\$4,978
<b>Total</b>	<b>\$54,074.00</b>

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/15/2013 - JOMARY PERA, SECRETARY