

40518

DATE: May 19, 2014

TO: Board of Acquisition and Contract

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

RE: Request for Authority to:

- a. Amend an Agreement with Westchester Jewish Community Services (the "Contractor") to exercise the first of five options to renew the Agreement pursuant to which the Contractor will provide Caregiver Escort Assisted Transportation services under Title III-E of the Older Americans Act for a total aggregate amount not to exceed \$104,978, comprised of \$94,480 in Federal funds and \$10,498 in Contractor matching funds for the period January 1, 2014 through December 31, 2014.
- b. Amend the Agreement to add certain provisions that are required by the New York State Office for the Aging ("NYSOFA") concerning equal access to services, non-discrimination and concentration of services on target populations, and to delete in its entirety the 2013 the Recipient Characteristics Definitions contained in Schedule "A", page 6 of the Agreement and replacing them with the 2014 Recipient Characteristics Definitions

Pursuant to a resolution approved on August 22, 2013, (the "August 22nd Resolution") the County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department"), entered into an agreement (the "Agreement") with Westchester Jewish Community Services (the "Contractor") for the purpose of providing Caregiver Escort Assisted Transportation services under Title III-E of the Older Americans Act (the "Program"), for an amount not to exceed \$116,642, comprised of \$104,978 in Federal funds to be reimbursed based on an agreed-upon unit cost for actual services provided and data entered in the Social Assistance Management System ("SAMS") and \$11,664 in Contractor matching funds) for the period January 1, 2013 through December 31, 2013, with the County's option to extend the agreement for up to five (5) additional one (1) year periods based on the same terms and conditions as the initial term, subject to the availability of funds, acceptable past performance, and the prior approval your Honorable Board. The Agreement was subsequently executed.

The County now seeks authority to amend the Agreement to exercise the first of the County's five (5) options to renew the Agreement with the Contractor to provide the Program services for the period commencing January 1, 2014 and terminating December 31, 2014.

The County further seeks authority to amend the Agreement with the Contractor to add certain provisions required by NYSOFA concerning equal access to services, non-discrimination and concentration of services on target populations. By way of background, on July 17, 2012 NYSOFA issued its revised Equal Access and Targeting Policy (12-PI-08) clarifying the responsibilities of New York State's Aging Network Providers under federal and state laws regarding equal access to services and nondiscrimination in serving all cohorts of New York's older adults and caregivers. The program Instruction also addressed the federal and state requirements for targeting activities to reach those unserved and underserved groups that are in greatest social and/or economic need. The Area Agencies on Aging ("AAAs") were instructed that they are responsible for requiring all aging service providers under their respective planning and service area to comply with requirements for equal access (including language accessibility), nondiscrimination and concentration of services on target populations as required in the Older Americans Act (OAA), NYS regulations, other relevant laws, and NYSOFA policies. The AAAs were further instructed to include these requirements in each agreement made with such providers (OAA §306[a][4][A]) and to specify how the provider intends to meet specific objectives for satisfying the service needs of, and providing services to, low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas (OAA §306[a][4][A]). The Department also seeks authority to replace the 2013 Recipient Characteristics and Definitions on page 6 of Schedule A in the original agreement with the 2014 Recipient Characteristics and Definitions. Accordingly, these requirements and revisions will be added to the contract amendment in the form of Appendix "A" and Appendix "B" respectively.

Although the original 2013 Agreement was exempt from the Westchester County Procurement Policy pursuant to section 3(a) xix thereof, it was subject to the Federal Common Grant Rules. As such, on February 15, 2013, the Department issued a Request for Proposals ("RFP") and subsequently entered into an agreement with the Contractor for a one year period with the County's option to extend the agreement for five (5) additional one (1) year periods. Based on the Contractor's successful past performance, the Department is seeking to exercise its first option and extend the agreement for the year 2014. Pursuant to the Federal Common Grant Rules, the Department performed a price analysis prior to making its recommendation to extend the agreement. Based on the price analysis, the cost per trip is within the range of the cost of other providers offering transportation services.

Extending this Agreement will continue to serve a public purpose by providing caregivers with support and respite from their caregiving responsibility and enabling them to enlist an escort to accompany their loved ones who are 60 or older to a doctor visit, shopping trip, errand, movie or restaurant.

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

Accordingly, I recommend adoption of the proposed resolution.

MC/dm

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 exercise the first of its five (5) options to renew its agreement (the "Agreement") with Westchester Jewish Community Services (the "Contractor") pursuant to which the Contractor will provide Caregiver Escort Assisted Transportation services under Title III-E of the Older Americans Act for an amount not to exceed \$104,978, comprised of \$94,480 in Federal funds to be reimbursed based on an agreed upon unit cost, and \$10,498 in Contractor matching funds, for the program period January 1, 2014 through December 31, 2014; and be it further
- RESOLVED,** that the County is hereby further authorized to amend the Agreement to add certain provisions as required by the New York State Office for the Aging ("NYSOFA") concerning equal access to services, non-discrimination and concentration of services on target populations; and be it further
- RESOLVED,** that the County is hereby further authorized to amend the Agreement to delete in its entirety the 2013 Recipient Characteristics Definitions contained in Schedule "A", page 6 of the Agreement and replace them with the 2014 Recipient Characteristics Definitions ; and be it further
- RESOLVED,** that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain the same; 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: \$116,642
 First Amendment: \$104,978
 Total \$221,620

Account to be charged	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	85	448P	4380	T448	\$94,480
	N/A	N/A	N/A	N/A	N/A	\$10,498
Budget Funding Year(s) (must match resolution)	2014		Start Date	1/1/14	End Date	12/31/14
Funding Source	Tax		\$ 0.00			
	State		\$ 0.00			
\$104,978 (must match resolution)	Federal		\$94,480			
	Other		\$10,498			

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/19/2014 JOMARY VIEIRA, SECRETARY