

**41170**

DATE: June 10, 2014

TO: Board of Acquisition and Contract

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

RE: Authority to amend an Inter-Municipal Agreement (“IMA”) with the City of Yonkers to:

- a. Exercise the first of the County’s five options to renew the IMA to provide Case Management services to frail, homebound seniors under the Expanded In-Home Services for the Elderly Program (“EISEP”), to increase the total aggregate amount not to exceed by \$139,074, for the program period April 1, 2014 to March 31, 2015; and
- b. Add certain provisions required by the New York State Office for the Aging concerning equal access to services, non-discrimination and concentration of services on target populations, and update the Recipient Characteristics and Definitions with the revised 2014 Definitions.

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By resolution approved on August 22, 2013 (the “August 22<sup>nd</sup> Resolution”) your Honorable Board authorized the County of Westchester (the “County”), acting by and through its Department of Senior Programs & Services (the “Department”), to enter into an Inter-Municipal Agreement (the “IMA”) with the City of Yonkers (the “Contractor”) to provide Case Management services to frail, homebound seniors under the Expanded In-Home Services for the Elderly Program (the “Program”), in an amount not to exceed \$139,074, comprised of \$97,352 in State funds and \$41,722 in Contractor matching funds, for the program period April 1, 2013 through March 31, 2014, with the County having the sole option to renew the Agreement for up to five additional one-year periods, subject to the prior approval of your Honorable Board. The August 22<sup>nd</sup> Resolution also authorized that the Contractor be paid an agreed unit cost amount for actual services rendered and data-entered in the Social Assistance Management System (“SAMS”) up to the not-to-exceed contract amount. The IMA was subsequently executed.

The County now seeks approval to exercise the first of its five options to renew the IMA with the Contractor for the period commencing April 1, 2014 and terminating March 31, 2015 to provide the Program and to add an amount not to exceed \$139,074 for the extended term hereof, comprised of \$97,352 in State funds and \$41,722 in Contractor matching funds, thereby increasing the total aggregate amount of the IMA to an amount not to exceed \$278,148.

Authority is also requested to amend the IMA to add certain provisions 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. 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 un-served 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 in Schedule A of the original agreement with the 2014 Recipient Characteristics and Definitions for the 2014 program year. Accordingly, these requirements and revisions will be added to the contract amendment in the form of Appendix "A" and Appendix "B" respectively.

The Westchester County Board of Legislators by Act No. 80 – 2014, adopted May 5, 2014, authorized the County to enter into Inter-Municipal Agreements with municipalities located within Westchester County, including the Contractor, for services to be funded by grants received by the County under EISEP.

Except as specifically amended hereby, all other terms and conditions set forth in the Agreement shall remain in full force and effect.

Accordingly, I recommend adoption of the proposed resolution.

MC/SJ/DI

## 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") is hereby authorized to exercise the first of its five options to renew an Inter-Municipal Agreement with the City of Yonkers (the "Contractor") to provide case management services to frail, homebound elderly seniors residing in Westchester County under the Expanded In-Home Services for the Elderly Program (the "Program") for the term April 1, 2013 through March 31, 2014 in an amount not to exceed \$139,074 (the "IMA") and hereby extends the IMA for the term April 1, 2014 through March 31, 2015 to add an amount not to exceed \$139,074, comprised of \$97,352 in State funds and \$41,722 in Contractor matching funds, thereby increasing the total aggregate amount of the IMA to an amount not to exceed \$278,148; and be it further
- RESOLVED,** that the County is hereby further authorized to amend the IMA add 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 IMA to replace the 2013 Recipient Characteristics and Definitions contained in Schedule "A", of the IMA with the revised 2014 Recipient Characteristics and Definitions; and be it further
- RESOLVED,** that except as specifically amended hereby, all other terms and conditions of the IMA shall remain in full force and effect; 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 IMA: \$139,074  
 This Amendment: 139,074  
 TOTAL: \$278,148

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	85	048P	4380	T-048	\$97,352
N/A	N/A	N/A	N/A	N/A	\$41,722

Budget Funding Year(s) 2014 - 2015 Start Date 4/1/14 End Date 3/31/15  
 (must match resolution)

Funding Source Tax Dollars: \_\_\_\_\_  
 State Aid: \$97,352  
\$ 139,074 Federal Aid: \_\_\_\_\_  
 (must match resolution) Other: \$41,722

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/07/2014 - JOMARY VIEIRA, SECRETARY