

41331

DATE: July 8, 2014

TO: Board of Acquisition & Contract

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

RE: Authorization to:

- a. Enter into an Agreement with the New York State Office for the Aging ("NYSOFA") to accept a Title III-D Program grant in an amount not-to-exceed \$54,833 to implement breast cancer screening and counseling programs, evidenced-based health and wellness programs for seniors for the period commencing January 1, 2014 and terminating December 31, 2014;
- b. Amend Agreements to exercise the first of the County's five (5) options to renew the Agreements with Elderserve Licensed Home Care Agency Services, Inc., Family Service Society of Yonkers and the YWCA White Plains & Central Westchester Encore Plus Program (the "Contractors") to administer, breast cancer screening and counseling programs, evidenced-based health and wellness programs for a total aggregate amount not-to-exceed \$43,118, in the individual amounts set forth in Schedule "A, for the program period January 1, 2014 through December 31, 2014.
- c. Amend the Agreements to add certain provisions that are required by NYSOFA concerning equal access to services, non-discrimination and concentration of services on target populations

Authority is hereby requested for the County of Westchester (the "County"), acting by and through its Department of Senior Programs & Services (the "Department"), to enter into an Agreement with the New York State Office for the Aging ("NYSOFA") to accept a Title III-D Program grant in an amount not-to-exceed \$54,833 to implement breast cancer screening and counseling programs and evidenced based health and wellness programs for the period commencing January 1, 2014 and terminating December 31, 2014.

Additionally, by resolution approved on July 18, 2013 (the " July 18th Resolution") your Honorable Board authorized the County to enter into agreements with Elderserve Licensed Home Care Agency Services, Inc. ("Elderserve"), Family Service Society of Yonkers ("FSSY") and the YWCA White Plains & Central Westchester Encore Plus Program ("YWCA") (collectively the "Contractors") to administer, breast cancer screening and counseling programs and evidenced-based health and wellness programs (the "Programs") for a total aggregate amount not-to-exceed \$50,717, comprised of \$45,645 in Federal funds and \$5,072 in Contractor matching funds, for the program period January 1, 2013 through December 31, 2013, with the County having the sole option to renew the Agreements for up to five (5)

additional one-year periods on the same terms and conditions as the initial agreements (the "Agreements"). The Agreements were subsequently executed.

The County now seeks authority to amend the Agreements with the Contractors to exercise the first of its five (5) renewal options to provide the Programs, in the individual amounts set forth in the attached Schedule "A," for a total aggregate amount not-to-exceed \$43,118, comprised of \$38,806 in Federal funds and \$4,312 in Contractor matching funds, for the period commencing January 1, 2014 and terminating December 31, 2014.

It should be noted that since the Agreements are paid for with funds subject to the Federal Common Grant Rules, 45 CFR 92.36 (f) requires grantees to perform a price or cost analysis in order to test the market before such options may be exercised. In an effort to comply with this requirement, my office contacted various agencies to obtain unit price quotes for the services performed by each of the three Contractors.

With respect to the contract with Elderserve, my office contacted six (6) agencies to solicit unit rate quotations for both Yoga and Tai Chi classes. Four (4) agencies, Scarsdale Yoga Studio, Yoga Heaven, Club Fit and Yoga Sol, submitted per session quotations for Yoga, while three (3) agencies, Christine Sotmary Caregiver Access, Club Fit and Yoga Sol submitted per session quotations for Tai Chi. With respect to Yoga, the per session unit rates quoted were as follows: Scarsdale Yoga Studio (\$230), Yoga Heaven (\$170), Club Fit (\$195) and Yoga Sol (\$180). With respect to Tai Chi, the per session unit rates quoted were as follows: Christine Sotmary Caregiver Access (\$200), Club Fit (\$195) and Yoga Sol (\$180). Since the County will pay Elderserve the same per session rate of \$140 for both Yoga and Tai Chi during the renewal option period, the unit cost offered by the current vendor is clearly below the unit costs offered by the other agencies contacted. Accordingly, based on the analysis above, I have determined that exercising the renewal option with Elderserve is the most economically prudent way to procure the services.

With respect to the contract with FSSY, my office contacted four (4) agencies to solicit unit rate quotations for the provision of health screenings. The per screening unit rates quoted were as follows: Visiting Nurse Service of Hudson Valley (\$180), Visiting Nurse Service of Westchester (\$195), Gerri Brooks, RN (\$240), and Lighthouse International (\$400 – vision screening only). Since the County will pay FSSY a rate of only \$140 per screening, the unit cost offered by the current vendor is clearly below the unit costs offered by the other agencies contacted. Accordingly, based on the analysis above, I have determined that exercising the renewal option with FSSY is the most economically prudent way to procure the services.

With respect to the contract with the YWCA, my office contacted six (6) agencies to solicit unit rate quotations for the provision of breast cancer screenings. It should be noted that while the unit cost prices solicited are not specifically related to the comparable service provided by the existing contractor as they do not include all of the services currently provided by the YWCA, they are supportive in demonstrating a competitive price for the current contractor. The unit rates quoted were as follows: YWCA Encore Plus Binghamton, NY (\$186 – for breast cancer screenings), YWVA Encore Plus Orange County, NY (\$183 - pre-screening for breast cancer), NYSOFA (\$149.72 – Statewide health promotion services), Visiting Nurse Service of the Hudson Valley (\$180 – general health screenings), Visiting Nurse Service of Westchester (\$195 – general health screenings), and Gerri Brooks, RN (\$240 – general health screenings). Since the County will pay the YWCA a rate of only \$140 per breast cancer screening, the unit cost offered by the current vendor is clearly below the unit costs offered by the other agencies contacted. Accordingly, based on the analysis above, I have determined that exercising the renewal option with FSSY is the most economically prudent way to procure the services.

The County also seeks authority to further amend the Agreements with the Contractors 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]). Accordingly, these requirements will be added to the contract amendment in the form of Appendix "A".

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

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, approval of the attached resolution is most respectfully recommended.

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 (the "County") is hereby authorized to enter into an agreement with the New York State Executive Department Office for the Aging ("NYSOFA") to accept a Title III-D Program grant in an amount not-to-exceed \$54,833, to implement breast cancer screening and counseling programs and evidenced-based health and wellness programs for the period January 1, 2014 through December 31, 2014; and be it further

RESOLVED, that the County is hereby authorized to amend agreements with Elderserve Licensed Home Care Agency Services, Inc., Family Service Society of Yonkers and the YWCA White Plains & Central Westchester Encore Plus Program (the "Contractors") to implement breast cancer screening and counseling programs and evidenced-based health and wellness programs under Title III-D of the Older Americans Act (the "Programs") for a total aggregate amount not-to-exceed \$50,717, comprised of \$45,645 in Federal funds and \$5,072 in Contractor matching funds (the "Agreements"), with the County having the sole option to renew the Agreements for up to five (5) additional one-year terms, subject to the prior approval of your Honorable Board, in order to exercise the first of its five (5) options to renew the Agreements for the program period January 1, 2014 through December 31, 2014 for a total aggregate amount not-to-exceed \$43,118, comprised of \$38,806 in federal funds and \$4,312 in Contractor matching funds, in the individual amounts set forth in the attached Schedule "A"; and be it further

RESOLVED, that the County is hereby further authorized to amend the Agreements with the Contractors to add certain provisions as required by the NYSOFA concerning equal access to services, non-discrimination and concentration of services on target populations; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreements with the Contractors 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.

Account to be credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	85	943P	9853	T-943	\$54,833
charged	263	85	943P	4380	T-943	\$38,806
charged	N/A	N/A	N/A	N/A	N/A	\$4,312

Budget Funding Years 2014

(must match resolution)

Funding Source

\$54,833

(must match resolution)

Start Date 1/1/14

End Date 12/31/14

Tax Dollars \$0

State Aid \$0

Federal Aid \$54,833

Other

APPROVED BOARD OF ACQUISITION & CONTRACT 08/07/2014 - JOSEPH VEIRA, SECRETARY

SCHEDULE "A"

<u>AGENCY</u>	<u>NOT TO EXCEED FEDERAL FUNDS</u>	<u>CONTRACTOR MATCH</u>	<u>GROSS</u>
Elderserve Licensed Home Care Agency Services, Inc.	\$10,171	\$1,130	\$11,301
Family Service Society of Yonkers	\$5,600	\$622	\$6,222
YWCA Encore Program	<u>\$23,035</u>	<u>\$2,560</u>	<u>\$25,595.00</u>
TOTALS	<u>\$38,806.00</u>	<u>\$4,312.00</u>	<u>\$43,118.00</u>

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