

**41503**

DATE: July 2, 2014

TO: Board of Acquisition & Contract

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

RE: Request for Authority to:

- (a) Amend an agreement with Westchester Community Opportunity Program, Inc. ("WESTCOP") for the provision of Victim Assistance Counseling and Crime Prevention and Safety Programs under Title IIIB of the Older Americans Act, in order to exercise the first of five (5) options to renew said agreement for the program period January 1, 2014 through December 31, 2014 for a total aggregate amount not-to-exceed \$15,551, comprised of \$13,995 in Federal funds and \$1,556 in Contractor matching funds; and
- (b) Amend the agreement with WESTCOP 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.

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By resolution approved on May 09, 2013 (the "May 09<sup>th</sup> Resolution") your Honorable Board authorized the County of Westchester (the "County"), acting by and through the Department of Senior Programs and Services (the "Department"), to enter into an agreement with WESTCOP (the "Agreement") to provide Victim Assistance Counseling and Crime Prevention and Safety Programs for seniors, their caregivers and non-offending family members victimized by crime or identified as being at risk for abuse and other crime, as well as to provide presentations to seniors, their caregivers and other community members residing in Westchester County under Title IIIB of the Older Americans Act, for a total aggregate amount not-to-exceed \$17,278, comprised of \$15,550 in Federal funds and \$1,728 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 Agreement for up to five (5) additional one-year terms, subject to the prior approval of your Honorable Board. The Agreement was subsequently executed

The County now seeks authority to amend the Agreement with WESTCOP in order to exercise the first of the County's five (5) renewal options thereunder for the program period January 1, 2014 through December 31, 2014 for a total aggregate amount not-

to-exceed \$15,551, comprised of \$13,995 in Federal funds and \$1,556 in Contractor matching funds.

It should be noted that since this contract is 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 an option may be exercised. In an effort to comply with this requirement, my office contacted seven (7) agencies to solicit hourly rate quotations for both victims assistance counseling and for crime prevention and safety presentations. Three (3) agencies, Northern Westchester Hospital (“NWH”), Volunteer Counseling Services (“VCS”), and Westchester Jewish Community Services (“WJCS”), submitted quotations for counseling services, while four (4) other agencies, Pace Women’s Justice Center (“Pace”), Leave the Light On Foundation (“LLOF”), Victim’s Assistance Services – Department of Health (“VASDOH”) and VASCDBG, submitted quotations for crime prevention and safety presentations.

With respect to victims assistance counseling, the hourly rates quoted varied drastically among the providers as follows: NWH \$30.00, VCS \$61.50 and WJCS \$90.00. Since the County currently pays WESTCOP an hourly rate of \$37.16 for such services, this rate is on the lower end of the spectrum of the rates quoted. Moreover, the counseling services provided by WESTCOP also include home visits and assessments; legal, medical and criminal justice system advocacy and accompaniment; safety planning, coordination and referral to other appropriate services, which provides added value to the services.

With respect to crime prevention and safety presentations, the hourly rates quoted were as follows: Pace \$61.16, LLOF \$42.00, VASDOH \$35 - \$50, and VASCDBG \$35 - \$50. Since the County currently pays WESTCOP an hourly rate of \$50.12 for such services, this rate is within the reasonable range of the other rates quoted. Moreover, WESTCOP brings its presentations to various locations in Westchester County accessible to the seniors which saves transportation costs.

Based on the analysis above, and taking all factors into consideration, I have determined that exercising the renewal option with WESTCOP is the most economically prudent way to procure the services.

Authority is also requested to amend the Agreement with WESTCOP 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]).

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

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

MC/SJ

Att.

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/21/2014 - JOMARTINEA SECRETARY

## 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 amend an agreement with Westchester Community Opportunity Program, Inc. ("WESTCOP") for the provision of Victim Assistance Counseling and Crime Prevention and Safety Programs under Title IIIB of the Older Americans Act for a total aggregate amount not-to-exceed \$17,278, comprised of \$15,550 in Federal funds and \$1,728 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 Agreement for up to five (5) additional one-year terms, subject to the prior approval of your Honorable Board (the "Agreement"), in order to exercise the first of its five (5) options to renew the Agreement for the program period January 1, 2014 through December 31, 2014 for a total aggregate amount not-to-exceed \$15,551, comprised of \$13,995 in Federal funds and \$1,556 in Contractor matching funds; and be it further

**RESOLVED**, that the County is hereby further authorized to amend the Agreement with WESTCOP 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; 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: \$17,278.00  
 First Amendment: \$15,551.00  
 Total: \$32,829.00

Account to be Charged	Fund	Dept	Major Program, Program & Phase Or Unit or Org	Object/ Sub Object	Trust Account	Dollars
	263	85	686P	4830	T-686	\$13,995
N/A	N/A	N/A	N/A	N/A	N/A	\$ 1,556
Budget Funding Year(s) (must match resolution)	2014		Start Date	1/1/14	End Date	12/31/14
Funding Source			Tax Dollars	\$ 0		
			State Aid	\$ 0		
\$15,551 (must match resolution)			Federal Aid	\$ 13,995		
			Other	\$1,556		

APPROVED BOARD OF ACQUISITION & CONTRACTS - 08/21/2014 - JOMARY VEIRA, SECRETARY