

**44688**

**DATE:** January 7, 2015

**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 by and through the New York State Office for the Aging (“NYSOFA”) to accept a grant in the amount of \$54,074 to implement the AAA Transportation Program for the program period April 1, 2015 through March 31, 2016; and
- b) Retroactively amend a resolution approved on August 15, 2013 which incorrectly authorized the County, acting by and through its Department of Senior Programs and Services, to enter into Inter-Municipal Agreements with eight (8) municipal contractors 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, by reflecting the fact that there were actually nine (9) municipal contractors listed in Schedule “A” attached to the Resolution; and
- c) Exercise the second of the County’s five (5) options to renew Inter-Municipal agreements with the nine (9) 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, 2015 through March 31, 2016.

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The County of Westchester (the “County”), acting by and through its Department of Senior Programs and Services (the “Department”), seeks authority from your Honorable Board to enter into an agreement with the 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, 2015 through March 31, 2016.

Additionally, by resolution approved on August 15, 2013 (the "August 15<sup>th</sup> Resolution") your Honorable Board authorized the County acting by and through its Department of Senior Programs and Services (the "Department") to enter into Inter-Municipal Agreements (the "IMAs") with eight (8) municipal contractors to provide group transportation services for County seniors (the "Program") for an aggregate amount not to exceed \$54,074, in the individual amounts listed in Schedule "A" attached to the August 15<sup>th</sup> Resolution, for the program period April 1, 2013 through March 31, 2014, with the County having the sole option to renew the IMAs for up to five (5) additional one-year periods, subject to the prior approval of the Westchester County Board of Legislators and your Honorable Board. Due to an administrative oversight, the August 15<sup>th</sup> Resolution incorrectly authorized IMAs with only eight (8) municipal contractors, despite the fact that Schedule "A", attached to the August 15<sup>th</sup> Resolution, actually listed nine (9) municipal contractors. Accordingly, authority is respectfully requested to retroactively amend the August 15<sup>th</sup> Resolution for the limited purpose of reflecting the actual number of municipal contractors listed in Schedule "A", attached to the August 15<sup>th</sup> Resolution, which was nine (9) municipal contractors, not eight (8) municipal contractors. It should be noted that the IMAs with the nine (9) municipal contractors were subsequently executed.

Thereafter, by resolution approved on June 12, 2014 (the June 12<sup>th</sup> Resolution) your Honorable Board authorized the County acting by and through its Department of Senior Programs and Services (the "Department") to amend the IMAs with the nine (9) municipal contractors in order to exercise the first of the County's five options to renew the IMAs to provide the aforementioned Program services for an aggregate amount not to exceed \$54,074, in the individual amounts listed in Schedule A attached to the June 12<sup>th</sup> Resolution for the program period April 1, 2014 through March 31, 2015 (the "First Amendments"). The First Amendments were subsequently executed.

The County now seeks authority from your Honorable Board to amend the IMAs to exercise the second of the County's five (5) options to renew the IMAs with the nine (9) municipal contractors pursuant to which the contractors will provide the Program services for a total aggregate amount not-to-exceed \$54,074, in the individual amounts set forth in the attached Schedule "A", for the program period April 1, 2015 through March 31, 2016.

By Act No. 75 – 2014, adopted on May 5, 2014 the Board of Legislators authorized the County to enter into Inter-Municipal Agreements with County municipalities, including the Contractors, in connection with the AAA Transportation Program.

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 Procurement 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.

Except as specifically amended hereby, all terms and conditions set forth in the August 15<sup>th</sup> Resolution shall remain unchanged. Except as specifically amended hereby, all other terms and conditions set forth in the IMAs shall remain in full force and effect. Accordingly, I most respectfully recommend adoption of the proposed attached resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/05/2015 - JIMMY VIERA, 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") 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 ("NYSOFA"), 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, 2015 through March 31, 2016; and be it further

**RESOLVED:** that the resolution approved on August 15, 2013 (the "August 15<sup>th</sup> Resolution"), which authorized the County to enter into Inter-Municipal Agreements ("IMAs") with eight (8) municipal contractors to provide group transportation services for County seniors for the period from April 1, 2013 through March 31, 2014 for an aggregate amount not to exceed \$54,074, is hereby retroactively amended for the limited purpose of reflecting the actual number of municipal contractors listed in Schedule "A", attached to the August 15<sup>th</sup> Resolution, which was nine (9) municipal contractors, not eight (8) municipal contractors; and be it further

**RESOLVED:** that the County is now hereby authorized to exercise the second of its five (5) options to renew the IMAs" with the nine (9) municipal 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 set forth in the attached Schedule "A", for the program period April 1, 2015 through March 31, 2016; and be it further

**RESOLVED,** that except as specifically amended hereby, all remaining terms and conditions set forth in the August 15<sup>th</sup> Resolution shall remain unchanged; and be it further

**RESOLVED,** that except as specifically amended hereby, all remaining terms and conditions set forth in the IMAs, as previously amended, 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 Agreement: \$54,074  
 First Amendment: \$54,074  
 This Second Amendment: \$54,074  
**Total \$162,222**

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	85	813Q	4380	T813	\$54,074.00
263	85	813Q	9854	T813	\$54,074.00

Budget Funding Year(s) 2015 - 2016 Start Date 4/1/15 End Date 3/31/16  
 (Must match resolution)

Funding Source

\$54,074.00  
 (must match resolution)

Tax Dollars \_\_\_\_\_

State Aid \$54,074.00

Federal Aid \_\_\_\_\_

Other \_\_\_\_\_

APPROVED BY BOARD OF ACQUISITION & CONTRACT - 03/05/2015 - JOMARY VIEIRA, SECRETARY

## SCHEDULE A

### AAA Transportation

<b>Municipality</b>	<b>State Funds</b>
Cortlandt	\$3,603.00
Eastchester	\$1,717.00
Greenburgh	\$8,550.00
Mount Pleasant	\$5,110.00
Mount Vernon	\$16,357.00
New Rochelle	\$5,854.00
Peekskill	\$1,821.00
Somers	\$6,324.00
White Plains	\$4,738.00
<b>Total</b>	<b>\$54,074.00</b>

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/05/2015 - JOMBY VIEIRA, SECRETARY