

**44840**

**DATE:** February 10, 2015

**TO:** Board of Acquisition and Contract

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

**RE:** Request for authority to enter into an Agreement with Elderserve Licensed Homecare Services Agency, Inc. to provide Electronic Tracking System and Project Lifesaver Programs under Title IIIB of the Older Americans Act for an amount not to exceed \$40,355 in Federal funds, payable pursuant to the agreed upon unit cost, for the period commencing January 1, 2015 and continuing through December 31, 2015

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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 (the "Agreement") with Elderserve Licensed Homecare Services Agency, Inc. (the "Contractor") for the purpose of providing Electronic Tracking System and Project Lifesaver Programs under Title IIIB of the Older Americans Act (the "Programs"), for an amount not to exceed \$40,355 in Federal funds to be paid pursuant to the agreed upon unit cost for actual services provided and data-entered in the New York State Office for the Aging's ("NYSOFA's") Social Assistance Management System ("SAMS") for the period commencing January 1, 2015 and terminating December 31, 2015. The County at its the sole option may renew the Agreement with the Contractor for up to three (3) additional successive one (1) year periods, on the same terms and conditions as the initial term, subject to the availability of funds, the County obtaining all necessary legal approvals and the prior approval of your Honorable Board.

These innovative rapid-response programs aid victims and families suffering from Alzheimer's Disease and other related disorders such as Down Syndrome and Autism. Pursuant to the terms of the Agreement, the Contractor will provide equipment and monthly maintenance services to elderly Westchester County seniors 60 years and older (the "Clients"). The equipment provided to Clients will be in the form of electronic personalized wristbands that emit a tracking signal. These devices will serve to locate and rescue missing Clients and will require monthly maintenance, including battery changes. Without proper maintenance, the wristbands are inoperable. Therefore, it will be necessary to work closely with caregivers so that scheduled battery changes are performed in a timely manner. The Contractor will be well-versed in the equipment requirements and develop convenient procedures for caregivers.

The Agreement will serve a public purpose because it will facilitate finding the location of missing Clients and rescuing them, thereby allowing them to be reunited with their families and loved ones.

The goals and objectives are to locate and rescue missing persons, and aid the victims and families of people suffering from Alzheimer's disease and related disorders.

The goals and objectives of the Program are in the best interests of the County in terms of fiscal responsibility because the Program has established partnerships with local law enforcement agencies to help save money and time for taxpayers. Project Lifesaver is a program that reduces the time to locate Alzheimer's victims and other persons suffering from dementia who may walk away from their places of residence, by utilizing state-of-the-art technologies in conjunction with law enforcement, who supplement and integrate with existing public safety operations an emergency service response for lost and wandering victims.

Although this Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof, it is subject to the Federal Common Grant Rules. As such, on October 10, 2014, the Department issued a Request for Proposals ("RFP") with a due date of November 6, 2014 to solicit proposals from qualified agencies to provide the Program services. It should be noted that the RFP was later amended and issued on October 27, 2014. In an effort to solicit as many proposers as possible, the Department posted the RFP on the County's website; distributed a press release regarding the RFP; placed notices in the Journal News on October 12, 2014, the New York Times on October 19, 2014, and sent e-mails to the Aging Network Providers announcing the posting of the RFP. The Aging Network Providers were also asked to share the information with their contacts. Despite these efforts, only one (1) proposal was received in response to the RFP. This proposal was submitted by the Contractor. Therefore, pursuant to the Federal Common Grant Rules CFR 92.36 (f) that require a cost analysis to be conducted to test the market when adequate competition is lacking or for sole source procurements, the Department obtained hourly rate quotes from potential Program providers. Based on the cost analysis and the cost per hour for the Program services, the Contractor's rate is less than the rate quotes of the other service providers.

Therefore, after carefully evaluating the Contractor's proposal based on the criteria set forth in the RFP, it was determined that the Contractor's proposal met the required specifications and maximizes services in accordance with the budgeted amount. Furthermore the cost analysis conducted by the Department identified the Contractor as having the lesser rate of the other service providers. As a result, we believe that it would be in the best interest of the County for your Honorable Board to award the contract to the Contractor because in addition to the reasons stated above, the Contractor has performed well in providing the aforementioned services through prior agreements.

Accordingly, I recommend adoption of the proposed resolution.

MC/SJ

Att.

## 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 (the "Agreement") with Elderserve Licensed Homecare Services Agency, Inc. (the "Contractor") to provide Electronic Tracking System and Project Lifesaver Programs to elderly Westchester County seniors 60 years and older under Title IIIB of the Older Americans Act (the "Programs") for an amount not-to-exceed \$40,355 in Federal funds, payable pursuant to the agreed upon unit-cost for actual services provided and data-entered in the New York State Office for the Aging's ("NYSOFA's") Social Assistance Management System ("SAMS"), for the program period commencing January 1, 2015 and continuing through December 31, 2015; and be it further

**RESOLVED,** that the Contractor is required to contribute \$4,484 in Contractor matching funds to the Program; and be it further

**RESOLVED** that the County, at its sole option, may renew the Agreement for up to three (3) additional successive one (1) year periods on the same terms and conditions as the initial term, subject to the availability of funds, the County obtaining all necessary legal approvals and the prior approval of your Honorable Board; and be it further

**RESOLVED,** that the Agreement with the Contractor is subject to County Appropriations; and be it further

**RESOLVED** that the Agreement with the Contractor is also subject to the further financial and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement with the Contractor, or to renegotiate the amounts and rates approved therein. If the County subsequently offers to pay a reduced amount to the contractor, then the Contractor shall have the right to terminate their respective Agreements upon reasonable prior written notice; 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 charged	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	85	686Q	4380	T686	\$40,355.00
Budget Funding Year(s) (must match resolution)	2015		Start Date	1/1/15	End Date	12/31/15
Funding Source	Tax		\$ 0			
	State		\$0			
\$40,355.00 (must match resolution)	Federal		\$40,355.00			
	Other		\$0			

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/12/2015 - SOMAR NEIRA, SECRETARY