

**45308**

DATE: March 11, 2015

TO: Board of Acquisition & Contract

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

RE: Request for authority to enter into an agreement with Westchester Community Opportunity Program, Inc., to provide the Crime Prevention and Safety Program and the Victim Assistance Counseling Program under Title IIIB of the Older Americans Act for an amount not-to-exceed \$13,995 in Federal funds, payable at the agreed unit cost, for the program period commencing January 1, 2015 and terminating 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 the authority of your Honorable Board to enter into an agreement (the "Agreement") with Westchester Community Opportunity Program, Inc. (the "Contractor"), to provide the Crime Prevention and Safety Program and the Victim Assistance Counseling Program to the elderly, 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, (collectively the "Program") for an amount not to exceed \$13,995 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 ("NYSOFA") Social Assistance Management System ("SAMS"), for the program period January 1, 2015 through December 31, 2015. The County at its sole option may enter into three (3) additional successive one-year Agreements after the initial Agreement, on the same terms and conditions as the initial Agreement, availability of funds, the County obtaining all necessary legal approvals, and subject to the prior approval of your Honorable Board. The Contractor is required to contribute \$1,556 in Contractor matching funds to the Program.

The Agreement will serve a public purpose by counseling and educating seniors about crime prevention and safety as well as providing presentations for seniors, their caregivers and other community members relating to crime prevention strategies and supportive services available for the elderly to enable seniors to live safely at home, and thereby remain living in the community for as long as possible to avoid premature institutionalization.

The goals and objectives of the Agreement are to provide counseling services including but not limited to home visits and assessment; legal, medical, criminal justice system advocacy and accompaniment; safety planning and referrals to other service providers as well as to provide crime and safety presentations to seniors, their caregivers and other community members in various community venues, including but not limited to senior housing, nutrition programs and related sites.

The goals and objectives are in the County's best interest in terms of fiscal responsibility and public health, as they serve to educate the elderly, their caregivers and families about the types of crime, prevention strategies and supportive services available to the elderly to enable seniors to remain living safely in their homes, which aims at reducing or delaying nursing home institutionalization, thereby reducing Medicaid costs for the County, State and Federal governments and improving the general well-being of the County's elderly.

The services will be tracked, monitored and evaluated through monthly reporting activities and annual on-site reviews to determine if the contract performance goals and objectives are being met in a fiscally responsible and appropriately safe fashion. The New York State Office for the Aging annually monitors and evaluates whether the Department is meeting its requirements to conduct proper oversight.

Although the proposed agreement is exempt from application of the Westchester County Procurement Policy and Procedures 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") to solicit price proposals from qualified agencies to provide the Program services. The Proposal due date was November 6, 2014. 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 proposal was received in response to the RFP. This proposal was submitted by Westchester Community Opportunity Program, Inc. ("WESTCOP"). Consequently, 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 contacted 3 agencies (all responded) for the provision of the Victims Assistance Counseling program. The prices quotes ranged from \$30 to \$160 per hour. The least expensive quote is based on a self-pay sliding scale and the fee is determined on the patient's income. The Contractor provided a cost per hour that is at the lower end of the range. For the crime prevention and safety program, 4 agencies were contacted and all of them provided a price quote for presentations. The prices ranged from \$35 to \$300 for a presentation. The Contractor provided a cost per presentation that is at the lower end of the range.

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 a rate at the lower end of the range of the other service providers. As a result, the Department recommends entering into an Agreement with the Contractor to provide the Program services. It should be noted that the Contractor has extensive experience working with victims of crime and educating seniors and caregivers on crime prevention and informing them of available resources in the community and has successfully provided the Program through prior agreements with the County.

Accordingly, I most respectfully recommend adoption of the attached 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") is hereby authorized to enter into an agreement (the "Agreement") with Westchester Community Opportunity Program, Inc. the ("Contractor"), to provide Crime Prevention and Safety Programs and Victims Assistance Counseling for the elderly, their caregivers and non-offending family members victimized by crime or identified as being at risk for abuse and other crime, as well as provide presentations to seniors, their caregivers and other community members residing in Westchester County under Title IIIB of the Older Americans Act (collectively the "Program"), for a total aggregate amount not-to-exceed \$13,995 in Federal funds for the program period January 1, 2015 through December 31, 2015; and be it further

**RESOLVED,** that the Contractor is required to contribute \$1,556 in matching funds to the Program; and be it further

**RESOLVED,** that the County at its sole option may enter into three (3) successive one-year Agreements after the initial Agreement on the same terms and conditions as the initial Agreement, subject to the availability of funds, the County obtaining all necessary legal approvals and if the County determines that an extension is in its best interest and also subject to the prior approval of your Honorable Board; and be it further

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

**RESOLVED,** that the Agreement the Contractor is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of these Agreements. 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 adoptions(s), to conduct an analysis of the impacts of such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate the Agreement 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<br>or Org | Object/<br>Sub Object | Trust<br>Account | Dollars  |
|--|------|------|---|-----------------------|------------------|----------|
|  | 263  | 85   | 686Q  | 4830                  | T-686            | \$13,995 |
| Budget Funding Year(s) <u>2015</u> Start Date <u>1/1/15</u> End Date <u>12/31/15</u><br>(must match resolution)  |      |      |   |                       |                  |          |
| Funding Source Tax Dollars <u>\$ 0</u><br>State Aid <u>\$ 0</u><br><u>\$13,995</u> Federal Aid <u>\$13,995</u><br>(must match resolution) Other <u>\$0</u> |      |      |   |                       |                  |          |

APPROVED BOARD OF ACQUISITION & CONTRACTS - 04/09/2015 - JOMARY FEIRA, SECRETARY