

Robert P. Astoring
County Executive

Department of Social Services

Kevin McGuire
Commissioner

50910

DATE: March 4, 2016

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner, Department of Social Services

John McCaffrey
Chief Information Officer, Department of Information Technology

RE: Authority for the County of Westchester to enter into an Agreement with AssureCare LLC, to provide Application Software Enhancement Upgrades and Software Maintenance Support for the existing Charles H. Mack Medical/Home Care System in an amount not to exceed \$110,923 to be paid pursuant to an approved budget and subject to appropriation for the period January 1, 2014 through December 31, 2016.

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize the County of Westchester ("Licensee") to enter into an agreement with AssureCare LLC, ("Licensor") to provide Application Software Enhancement Upgrades and Software Maintenance Support ("Q-Mack") for the existing Charles H. Mack Medical/Home Care System, which licensed software was acquired by AssureCare LLC, in an amount not to exceed \$110,923 for the period from January 1, 2014 through December 31, 2016. There has been no increase in the amount requested for this program since 2008.

Under the proposed agreement, the Licensor would provide the County with application software enhancement upgrades to the existing Medical/Home Care System in order to comply with the New York State Department of Health's new Medicaid payment system called eMedNY and Health Commerce System (UAS) Uniform Assessment System. Upgrading of the system is required to meet the guidelines set by the New York State Department of Health.

The **public purpose** of this agreement is to assist the Department in complying with the guidelines set by the New York State Department of Health as regards Medicaid payments and the Health Commerce System (UAS) Uniform Assessment System.

The **goals and objectives** of this contract are to support, upgrade and enhance an existing Medical/Home Care system in order to comply with the New York State Department of Health's new Medicaid payment system, eMedNY and Health Commerce System (UAS) Uniform Assessment System.

The **goals and objectives are in the best interests of the County** in terms of **public health** as they enable the Department of Social Services' Medicaid Unit to improve its delivery to the eligible public and to successfully manage its caseload of over 6,115 clients which include social assessments, nursing assessments, supervisory assessments, plans of care, doctors' orders and payments to the vendors.

The **goals and objectives are continuously monitored** through the Offices of Medical Home Care Services and Information Technology. No application specification is implemented until it is reviewed, amended, if necessary, and signed off on by Department of Social Services staff.

The Department is able to report that in 2013, 2014 and 2015, Charles H. Mack & Associates, Inc., performed satisfactorily with the ongoing provision of a first level Product Support desk to respond directly to any questions or requests from the Office of Medical Home Care Services. They successfully managed the resolution of all problems in the system and they continue to provide product upgrades as requested.

This Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 9 thereof as this is the only vendor of its kind providing the aforesaid services in the region.

This agreement is exempt from the requirements of competitive procurement requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (formerly, the Grants Management Common Rule) based on the Sole Source exemption.

Accordingly, authority is requested for the County of Westchester to enter into an agreement with AssureCare LLC, for the aforesaid purpose.

A resolution requesting the same is attached for your Honorable Board's approval.

RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, and the Chief Information Officer, Department of Information Technology, be it hereby

RESOLVED, that the County of Westchester (“Licensee”) is hereby authorized to enter into an Agreement with AssureCare LLC. (“Licensor”) to provide Application Software Enhancement Upgrades and Software Maintenance Support for the existing Charles H. Mack Medical/Home Care System, which licensed software was acquired by Licensor for the period January 1, 2014 through December 31, 2016 in an amount not-to-exceed \$110,923 (the “Agreement”) to be paid pursuant to an approved budget; and be it further

RESOLVED, that, based on the representations of the Commissioners of Social Services and Information Technology, this Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 9 (Sole Source) of said Policy as this is the only vendor providing the necessary services in the region; and be it further

RESOLVED, that this Contract is subject to County Appropriation; and be it further,

RESOLVED, that this agreement 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 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 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 this agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to effectuate the purposes hereof.

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
2015	101	22	8900	5650	-----	\$24,798
2016	101	22	8900	5650	-----	\$86,125

Budget Funding Year(s): 2015, 2016 Start Date: 1/1/14 End Date: 12/31/16
(must match resolution)

Funding Source		<u>5650</u>
	Tax Dollars	0%
	State Aid:	50%
	Federal Aid	50%
	Other:	

\$110,923
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/07/2016 - LISA MARIJAJ SECRETARY