

53882

DATE: December 14, 2016

TO: Honorable Members of the Board of Acquisition and Contract

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

RE: Request for authority for the County of Westchester to:

1. amend an agreement with the New York State Office for the Aging (“NYSOFA”) to accept a grant in the amount of \$312,989 for the purpose of administering and implementing the Senior Community Service Employment Program (“SCSEP”) under Title V of the Older Americans Act for the program period July 1, 2016 through June 30, 2017, by increasing the total authorized not to exceed amount thereunder by \$9,205; and
2. a) amend a Third Amendment with the Urban League of Westchester County, Inc. (the “Contractor”) for the provision of administration services in connection with the SCSEP for the program period July 1, 2016 through June 30, 2017, for an amount not-to-exceed \$298,182 in Federal funds, by increasing the total authorized not to exceed amount thereunder by \$9,205

By resolution approved on May 26, 2016 (the “May 26th Resolution”), your Honorable Board authorized the County of Westchester (the “County”), acting by and through its Department of Senior Programs and Services (the “Department”), to enter into an agreement with the New York State Office for the Aging (“NYSOFA”) to accept a grant in the amount of \$312,989 for the purpose of administering and implementing the SCSEP under Title V of the Older Americans Act for the program period July 1, 2016 through June 30, 2017 (the “NYSOFA Agreement”). The NYSOFA Agreement was subsequently executed.

The Department was recently notified by NYSOFA that it intends to increase funding for the Title V grant by an additional \$9,205, thereby increasing the total amount authorized under the NYSOFA Agreement from \$312,989 to \$322,194. Accordingly, authority is now sought from your Honorable Board to amend the NYSOFA Agreement for the limited purpose of increasing the not-to-exceed amount authorized thereunder by

\$9,205, from \$312,989 to \$322,194. The additional funding will be utilized by the Department to provide direct services.

Additionally, by resolution approved on August 15, 2013 (the "August 15th Resolution"), your Honorable Board authorized the County of Westchester (the "County"), acting by and through the Department of Senior Programs & Services (the "Department") to, *inter alia*, enter into an agreement with the Urban League of Westchester County, Inc. (the "Urban League"), pursuant to which the Urban League was to provide administration services in connection with the SCSEP program for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget for the program period July 1, 2013 through June 30, 2014, with the Urban League contributing \$33,802 in contractor matching funds (the "Agreement"). The August 15th Resolution further provided that the County, at its sole option, could renew the Agreement for up to five (5) additional one-year periods, on the same terms and conditions as the initial term, subject to the availability of funds, acceptable past performance and the prior approval of your Honorable Board (the "Agreement"). The Agreement was subsequently executed.

Thereafter by resolution approved on August 21, 2014 (the "August 21st Resolution"), your Honorable Board authorized the County to amend its Agreement with the Urban League in order to exercise the first of its five renewal options thereunder for a term commencing on July 1, 2014 and continuing through June 30, 2015 for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget, with the Urban League contributing \$33,802 in Contractor matching funds (the "First Amendment"). The First Amendment was subsequently executed.

Thereafter by resolution approved on March 19, 2015 (the "March 19th Resolution"), your Honorable Board authorized the County to amend its Agreement with the Urban League in order to exercise the second of its five renewal options thereunder for a term commencing on July 1, 2015 and continuing through June 30, 2016 for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget, with the Urban League contributing \$33,802 in Contractor matching funds (the "Second Amendment"). The Second Amendment was subsequently executed.

Thereafter by resolution approved on May 26, 2016 (the "May 26th Resolution"), your Honorable Board authorized the County to amend its Agreement with the Urban League in order to exercise the third of its five renewal options thereunder for a term commencing on July 1, 2016 and continuing through June 30, 2017 for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget, with the Urban League contributing \$33,802 in Contractor matching funds (the "Third Amendment"). The Third Amendment was subsequently executed.

The County now seeks approval to further amend the Third Amendment with the Urban League to provide the Program in order to increase the total not to exceed for the period July 1, 2016 through June 30, 2017 by \$9,205, from \$298,182 to \$307,387 and to reflect an increase in the Contractor match funds by \$978 from \$33,802 to \$34,780 for the extended term hereof (the "Fourth Amendment"). The increased funding will be used by the Contractor to pay for program participants' wage and fringes during the program period

The Agreement with NYSOFA does not constitute a procurement as it is for the acceptance of grant funds, and as such, is not subject to the Westchester County 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 provided hereunder, all remaining terms and conditions of the Agreement shall remain in full force and effect.

Accordingly, approval of the attached resolution is most respectfully recommended.

MC/SJ

RESOLUTION

Upon a 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 the New York State Office for the Aging ("NYSOFA") in which the County accepted a grant in the sum of \$312,989 for the purpose of administering and implementing the Senior Community Service Employment Program ("SCSEP") for the program period July 1, 2016 through June 30, 2017 (the "NYSOFA Agreement") by increasing the not-to-exceed amount of federal funding authorized thereunder by \$9,205, from \$312,989 to \$322,194; and be it further

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend its Agreement with the Urban League of Westchester County, Inc. (the "Urban League"), pursuant to which the Urban League was to provide administration services in connection with the Senior Community Service Employment Program ("SCSEP") for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget for the program period July 1, 2013 through June 30, 2014, with the County having the sole option to renew the agreement for up to five (5) additional one-year periods, on the same terms and conditions as the initial term (the "Agreement"), in order to amend its Third Amendment under the Agreement by increasing the total not to exceed amount in federal funds for the program period July 1, 2016 through June 30, 2017 thereunder by \$9,205, from \$298,182 to \$307,387 and to reflect an increase in the Contractor match funds by \$978 from \$33,802 to \$34,780 for the extended term (the "Fourth Amendment"); and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the NYSOFA Agreement and the Third Amendment with the Contractor shall remain the same; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Agreement: \$ 298,182
 First Amendment: \$ 298,182
 Second Amendment: \$ 298,182
 Third Amendment: \$ 298,182
 Fourth Amendment: \$ 9,205
 Total: \$1,201,933

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
Credited	263	85	054R	9854	T054	\$9,205
Charged	263	85	054R	4380	T054	\$9,205

Budget Funding Year(s) 2016 - 2017 Start Date 7/1/16 End Date 6/30/17
 (must match resolution)

Funding Source Tax Dollars: \$ 0

State Aid: \$ 0

\$9,205 Federal Aid: \$9,205
 (must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACTS 1/15/2017 LISA MRIJAJ, SECRETARY