

58291

DATE: August 1, 2017

TO: Board of Acquisition & Contract

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

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

- a) enter into an Agreement with the State of New York, acting by and through the New York State Office for the Aging, to accept a grant in an amount not-to-exceed \$169,232 in State funds under the Direct Care Worker Program for the period commencing on April 1, 2016 and terminating on March 31, 2017; and
- b) certify that the funding received under the Direct Care Worker Program will be used solely to support salary and salary-related fringe benefits for direct care staff, direct support professional, clinical staff, foster parents and adoptive parents.
- c) enter into agreements with the seven (7) entities in the attached Schedule "A" for the purpose of providing the Direct Care Worker Program, for the period commencing on April 1, 2016 and terminating on March 31, 2017 for a total aggregate amount not to exceed \$133,514 in State funds.

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 State of New York, acting by and through the New York State Office for the Aging ("NYSOFA") to accept a grant in an amount not-to-exceed \$169,232 in state funds under the Direct Care Worker Program (the "Program") for the period commencing on April 1, 2016 and terminating on March 31, 2017. This Program was created by Part I, of Chapter 60 of the New York Laws of 2014 (the "Law") to provide 2% of salary and salary-related fringe benefit increases for direct care staff, direct support professionals, clinical staff, foster parents and adoptive parents (hereinafter referred to as simply "Direct Care Workers")

Authority is further requested that your Honorable Board confirm that the funding received will be used solely to support salary and salary-related fringe benefit increases for Direct Care Workers, as required by the Law. Therefore, the attached resolution, if approved by your Honorable Board, will authorize the County to accept the Direct Care Worker grant, since this certification is a required prerequisite.

Additionally, authority is also being sought from your Honorable Board to enter into agreements (the "Agreements") with the seven (7) entities (the "Contractors") in the attached Schedule "A" for the purpose of providing the Direct Care Worker Program, for the period commencing on April 1, 2016 and terminating on March 31, 2017 for a total aggregate amount not to exceed \$133,514 in State funds

The remaining \$35,718 in State funds will be used by the department.

The grant agreement with NYSOFA does not constitute procurement. Therefore, the requirements of the Westchester County Procurement Policy and Procedures are not applicable to this agreement.

The Agreements with the Contractors are exempt from the Westchester County Procurement Policy pursuant to Section 3(a) viii thereof.

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.

Accordingly, I most respectfully recommend adoption of the attached proposed resolution.

MC/SJ/

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/24/2017 - LISA MRISAS SECRETARY

RESOLUTION

Upon communication from the Commissioner of the Westchester County Department of Senior Programs and Services:

- RESOLVED,** that the County of Westchester (the "County") is hereby authorized to enter into an agreement with State of New York, acting by and through the New York State Office for the Aging (NYSOFA), to accept a grant under the Direct Care Worker Program in an amount not-to-exceed \$169,232 in state funds to provide salary and salary-related fringe benefit increases for direct care staff, direct support professionals, clinical staff, foster parents and adoptive parents (hereinafter referred to as simply "Direct Care Workers") (the "Program") for the period commencing on April 1, 2016 and terminating on March 31, 2017 and be it further
- RESOLVED,** that the funding received pursuant to the Direct Care Worker Program will be used solely to support salary and salary-related fringe benefit increases for direct care staff, direct support professionals, clinical staff, foster parents and adoptive parents and the Department of Senior Programs and Services is hereby authorized to certify to that effect; and be it further
- RESOLVED,** that the County is hereby further authorized to enter into agreements (the "Agreements") with the seven (7) entities in the attached Schedule "A" for the purpose of providing the Direct Care Worker Program, for the period commencing on April 1, 2016 and terminating on March 31, 2017 for a total aggregate amount not to exceed \$133,514 in funds
- RESOLVED,** that the Agreement with the Contractors are also subject to County Appropriations; and be it further
- RESOLVED,** that the Agreement with the Contractors are 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 the Agreement or to renegotiate the amount and rate approved herein. If the County subsequently offers to pay a reduced amount to the Contractors, then the Contractors shall have the right to terminate their respective 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:	Fund	Dept	Major Program Program & Phase , Unit	Object/Sub Object	Trust Account	Dollars
Credited	263	85	581R	9854	T581	\$169,232
Charged	263	85	581R	4380	T581	\$133,514
	263	85	581R	various	T581	\$35,718

Budget Funding Year(s): Unit 2016 - 2017 Start Date 4/1/16 End Date 3/31/17
 (must match resolution)

Funding Source	Tax Dollars	\$0
	State Aid	\$169,232
<u>\$169,232</u>		
(must match resolution)		

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/24/2017 - LISA MUAJ, SECRETARY

SCHEDULE "A"

<u>ENTITY</u>	<u>STATE FUNDS NOT-TO-EXCEED</u>
Family Service Society of Yonkers	\$13,208
Lifting Up Westchester, Inc.	\$4,683
Legal Services of the Hudson Valley	\$29,456
Cortlandt (Town of)	\$9,192
Eastchester (Town of)	\$19,010
New Rochelle (City of)	\$20,231
Yonkers (City of)	\$37,734
Total	\$133,514

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/24/2017 - LISA MARIJA SECRETARY