



George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

60084

DATE: January 1, 2018

TO: Board of Acquisition and Contract

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

SUBJECT: Authority to exercise the County's second one-year option under its agreement with Diamond, Kerbis CPA's, P.C., pursuant to which it was to audit entities that provide and propose to provide personal care services and/or consumer directed personal care services to recipients of Medicaid.

By a resolution approved on December 3, 2015, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Diamond, Kerbis CPA's, P.C. ("Diamond Kerbis"), pursuant to which Diamond Kerbis was to provide audit services to audit entities ("Vendors") that provide and propose to provide personal care services and/or consumer directed personal care services ("PCS and/or CDPAP Services") to recipients of Medicaid (the "Audit Services"), for an amount not-to-exceed \$785,818.00, payable pursuant to an approved budget, for the period from October 1, 2015 through December 31, 2016, with the County having the sole option to extend the term of the agreement for up to three (3) one (1) year periods thereafter, for an amount not-to-exceed \$392,909.00 for services rendered during each such one (1) year period (the "Original Agreement"). The Original Agreement was subsequently executed.

By a resolution approved on January 12, 2017, your Honorable Board authorized the County to exercise its first one-year option under the Original Agreement and therefore amend the Original Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of December 31, 2017; 2.) increasing the not-to-exceed amount thereof by \$392,909.00, to a new total not-to-exceed amount of \$1,178,727.00, to pay for the services during the first option term, and payable as specified in the Original Agreement for the first option term; and 3.) reflecting the fact that the County will have two (2) one (1) year options remaining under the

Original Agreement (the “First Amendment”). The First Amendment was subsequently executed.

The County continues to require the Audit Services. In order to determine whether the cost of the Audit Services for the second option term under the Original Agreement, as amended by the First Amendment, (the “Agreement”) are reasonable, DSS inquired about the current marketplace for such services. DSS found that the cost of the Audit Services for the second option term under the Agreement are reasonable, in that they are lower than what is currently being offered in the marketplace, including what is currently being offered by Diamond Kerbis in the marketplace.

Accordingly, the County respectfully requests authority from your Honorable Board to exercise its second one-year option under the Agreement and therefore amend the Agreement by: 1.) extending the term thereof by one (1) year, to a new termination date of December 31, 2018; 2.) increasing the not-to-exceed amount thereof by \$392,909.00, to a new total not-to-exceed amount of \$1,571,636.00, to pay for the services during the second option term, and payable as specified in the Agreement for the second option term; and 3.) reflecting the fact that the County will have one (1) one (1) year option remaining under the Agreement (the “Second Amendment”).

Except as specifically described above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed Second Amendment will serve a public purpose by providing the County with the Audit Services, which are necessary to audit current and prospective Vendors of PCS and/or CDPAP Services in 2018.

The goal and objective of the proposed Second Amendment is to provide the County with the Audit Services, which are necessary to audit current and prospective Vendors of PCS and/or CDPAP Services in 2018.

The goal and objective of the proposed Second Amendment is in the best interests of the County in terms of fiscal responsibility, as receiving the Audit Services in 2018 will enable the County to both analyze the expenditures of current Vendors and evaluate prospective Vendors, thereby helping to ensure that the Vendors that provide PCS and/or CDPAP Services are conducting themselves properly and are financially stable.

The goals and objectives of the proposed Second Amendment will be tracked and monitored by the staff of DSS.

I respectfully recommend the adoption of the attached Resolution.

KMM/JA/bdm/nn

RESOLUTION

Upon a communication from the Commissioner of Social Services, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to exercise its second one-year option under its agreement with Diamond, Kerbis CPA's, P.C. ("Diamond Kerbis"), as amended, pursuant to which Diamond Kerbis was to provide audit services to audit entities ("Vendors") that provide and propose to provide personal care services and/or consumer directed personal care services ("PCS and/or CDPAP Services") to recipients of Medicaid (the "Audit Services"), for an amount not-to-exceed \$1,178,727.00, payable pursuant to an approved budget, for the period from October 1, 2015 through December 31, 2017, with the County having the sole option to extend the term of the agreement for up to two (2) one (1) year periods thereafter, for an amount not-to-exceed \$392,909.00 for services rendered during each such one (1) year period (the "Agreement"), and therefore amend the Agreement by: 1.) extending the term thereof by one (1) year, to a new termination date of December 31, 2018; 2.) increasing the not-to-exceed amount thereof by \$392,909.00, to a new total not-to-exceed amount of \$1,571,636.00, to pay for the services during the second option term, and payable as specified in the Agreement for the second option term; and 3.) reflecting the fact that the County will have one (1) one (1) year option remaining under the Agreement; and be it further

RESOLVED, that except as specifically amended hereby, all terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	22	8900	5650	-----	\$392,909

Budget Funding Year(s): 2018 art Date: 01/01/18 End Date: 12/31/18
(must match resolution)

Funding Source
\$392,909.00
(must match resolution)

Tax Dollars:
State Aid: 50%
Federal Aid: 50%
Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/15/2018 - LISA MRIJAJ SECRETARY