

**63676**

**DATE:** June 13, 2018

**TO:** Board of Acquisition and Contract

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

**RE:** Request for the County of Westchester to amend an agreement:

- a) with the Alzheimer's Disease and Related Disorders Association, Inc., Hudson Valley, Rockland-Westchester Chapter in order to exercise its first of five (5) options to extend the term of the agreement to provide the Project Lifesaver Program under Title III-E of the Older Americans Act, in an amount not to exceed \$70,000 in Federal funds, for the period beginning on January 1, 2018 through December 31, 2018; and
- b) to incorporate into all option terms to the agreement certain "Standard Assurances" as mandated by the New York State Office for the Aging ("NYSOFA"), including but not limited to, certain contract provisions applicable to the Program.

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By resolution approved on May 25, 2017 (the "May 25<sup>th</sup> 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 (the "Agreement") with the Alzheimer's Disease and Related Disorders Association, Inc., Hudson Valley, Rockland-Westchester Chapter (the "Contractor") for the purpose of providing the Project Lifesaver Program under Title III-E of the Older Americans Act (the "Program"), for the period beginning January 1, 2017 through December 31, 2017, payable at the agreed upon unit-cost for actual services provided and data-entered in the New York State Office for the Aging's ("NYSOFA's") PeerPlace Management System, in an amount not to exceed \$70,000 in federal funds. The May 25<sup>th</sup> Resolution also stipulated that the County at its sole discretion could include an optional 10% increase or 10% decrease of available funds, which would impact the not-to-exceed amount of the Agreement. The Agreement was not executed.

Thereafter, by resolution approved on August 10, 2017 (the "August 10<sup>th</sup> Resolution"), your Honorable Board authorized the County to amend the May 25<sup>th</sup> Resolution due to an administrative oversight in order to change the beginning term of the Agreement from January 1, 2017 to March 1, 2017 and to further amend the May 25<sup>th</sup> Resolution to include a provision contained in the Request for Proposals that provided the County with an option to "extend the term of the Agreement for up to five (5) additional one (1) year periods (each an "Option Term"), on the same terms and conditions, including unit price (with a not-to-exceed 3% annual cost of living increase to be added to the unit cost), as the initial term, subject to the availability of funds, acceptable past performance, the County obtaining all necessary legal approvals and the County's determination that an extension is in its best interest." The Agreement was subsequently executed.

The County now seeks authority from your Honorable Board to amend the Agreement with the Contractor for the provision of the Program in order to exercise its first option (the "First Option Term") to extend the term for one year commencing January 1, 2018 and continuing through December 31, 2018 at the same funding amount as the initial term (the "First Amendment").

The County also seeks further authority to incorporate into each Option Term, certain "Standard Assurances" as mandated by NYSOFA, including but not limited to, certain contract provisions applicable to the Program.

Except as otherwise specifically amended hereby, all other terms and conditions contained in the Agreement shall remain in full force and effect.

Although the agreement with the Contractor is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof, it is subject to the Federal Common Grant Rules, under which a market analysis must be conducted before a renewal option may be exercised. As a result, the Department solicited price proposals for the services to determine if there were other potential Contractors that could provide the Program at a more cost-effective price. Based on the market analysis, it was determined that the Contractor's rates are on par with the rate quotes of the other service providers.

Amendment of the Agreement to exercise the County's First Renewal option is in the County's best interest because this Contractor has successfully provided the services in connection with the Program.

The Contractor provided 93 units of counseling to 47 clients, 288 units of monthly maintenance to 267 clients and 434 units of assistance to 335 clients in 2017.

Accordingly, I recommend adoption of the attached resolution.

MC/SJ

## 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 amend its agreement (the "Agreement") with the Alzheimer's Disease and Related Disorders Association, Inc., Hudson Valley, Rockland-Westchester Chapter (the "Contractor") to provide the Project Lifesaver Program under Title III-E of the Older Americans Act (the "Program") in order to exercise its first of five (5) options (the "First Option Term"); and be it further
- RESOLVED,** that the First Option Term shall commence January 1, 2018 and continue through December 31, 2018 with the Contractor to be reimbursed at the agreed upon unit-cost for actual services provided and data-entered in the New York State Office for the Aging's ("NYSOFA's") PeerPlace Management System (the "First Amendment"); and be it further
- RESOLVED,** that the County is hereby authorized to incorporate into all subsequent Option Terms to the Agreement certain "Standard Assurances" as mandated by the NYSOFA, including but not limited to, certain contract provisions applicable to the Program; and be it further
- RESOLVED,** that except as specifically amended hereby, all other terms and conditions set forth in the Agreement shall remain in full force and effect; and be it further
- RESOLVED,** that the County Executive or his duly authorized designee is authorized to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

APPROVED BOARD OF ACQUISITION & CONTRACTS 02/22/2018 (SECRETARY)

Agreement: \$70,000  
 First Amendment: \$70,000  
 Total: \$140,000

Account to be charged	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	85	448T	4380	T448	\$70,000
Budget Funding Year(s)	<u>2018</u>		Start Date	<u>1/1/18</u>	End Date	<u>12/31/18</u>
(must match resolution)						
Funding Source	Tax Dollars		<u>\$0</u>			
	State Aid		<u>\$0</u>			
\$70,000	Federal Aid		<u>\$70,000</u>			
(must match resolution)						

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/28/2018 - LISA MRIJAJ, SECRETARY