

74713

**DATE:** February 19, 2020

**TO:** Board of Acquisition and Contract

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

**RE:** Authority for the County of Westchester to consent to the assignment of an agreement between the County and Barksdale Home Care Services Corp., as Assignor, to Supportive Home Care, LLC d/b/a Care365, as Assignee, for the purpose of providing consumer directed in-home services, and homemaker and housekeeper services to frail, homebound seniors under the Expanded In-Home Services for the Elderly Program ("EISEP").

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By resolution approved on June 6, 2019 (the "June 6<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 agreements with the ten (10) agencies listed in Schedule "A," attached to the June 6<sup>th</sup> Resolution (the "Agreements"), for the purpose of providing consumer directed in-home services and homemaker and housekeeper services to frail, homebound seniors under the EISEP Program, for the period from April 1, 2019 through March 31, 2020, payable at agreed-upon rates, not to exceed the aggregate sum of \$1,941,742. The Agreements have all been executed.

By letter dated November 4, 2019 (the "November 4<sup>th</sup> Letter"), the Department was notified by one of the ten (10) agencies, Barksdale Home Care Services Corp. ("Barksdale"), that Barksdale would be transferring its operations to a new owner, Supportive Home Care, LLC d/b/a Care365 ("Care365"), effective on or about December 31, 2019. The November 4<sup>th</sup> Letter further advised the Department that Barksdale's current staff, including personal care aides, home health aides, case coordinators, nurses and other management and support personnel will be working for Care365 and that Care365 would continue to provide services to the County without interruption.

Accordingly, authority is requested for the County to enter into an assignment agreement (the "Assignment Agreement") pursuant to which the County would consent to the assignment of its agreement with Barksdale (the "Agreement"), as Assignor, to Care365, as Assignee, for the purpose of providing consumer directed in-home services, and homemaker and housekeeper services to frail, homebound seniors under the EISEP Program for the period from April 1, 2019 through March 31, 2020, payable at agreed-upon rates, effective upon execution of the Assignment Agreement by all parties and approval of same by the Office of the Westchester County Attorney.

Except as specifically provided herein, all other terms and conditions set forth in the Agreement will remain in full force and effect.

The Agreement, as hereby assigned, is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof.

Accordingly, I recommend adoption of the proposed resolution.

MC/SJ/jpg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/12/2020 - LISA MRIJAJ, SECRETARY

**RESOLUTION**

UPON COMMUNICATION FROM THE COMMISSIONER OF THE WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES, be it:

**RESOLVED,** that the County of Westchester (the "County") is hereby authorized to enter into an assignment agreement (the "Assignment Agreement") pursuant to which the County would consent to the assignment of its agreement (the "Agreement") with Barksdale Home Care Services Corp., as Assignor, to Supportive Home Care, LLC d/b/a Care365, as Assignee, for the purpose of providing consumer directed in-home services and homemaker and housekeeper services to frail, homebound seniors under the Expanded In-Home Services for the Elderly Program for the period from April 1, 2019 through March 31, 2020, payable at agreed-upon rates; and be it further

**ROSOLVED,** that the assignment of the Agreement shall become effective upon execution of the Assignment Agreement by all parties and approval of same by the Office of the Westchester County Attorney; and be it further

**RESOLVED,** that except as specifically provided herein, all other terms and conditions set forth in the Agreement will remain in full force and effect; 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.

Agreement

Account to be Charged

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars

Budget Funding Year(s) 2019 - 2020 Start Date: 4/1/19 End Date: 3/31/20  
 (must match resolution)

Funding Source State Aid: \$  
 Tax Dollars: \$

\$ \_\_\_\_\_  
 (must match resolution)