

**81902**

**DATE:** January 5, 2021

**TO:** Board of Acquisition & Contract

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

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

- a) enter into a grant agreement with the New York State Office for the Aging to accept a grant in an amount not-to-exceed \$277,859 in FCC3 - Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") federal emergency stimulus funds for Family Caregiver Support Programs in order to expand a range of services that help family and informal caregivers provide support for their older loved ones at home ("FCC3-CARES Act Program") in accordance with Title III-E of the Older Americans Act ("OAA"). The agreement shall commence retroactive to April 1, 2020 and continue through September 30, 2021.
- b) enter into agreements with the three (3) entities listed in the attached Schedule "A" to provide the services detailed in Schedule "A" under the FCC3-CARES Act Program in accordance with Title III-E of the Older Americans Act, in the individual not-to-exceed amounts also listed in Schedule "A," for an aggregate amount not-to-exceed \$247,859 in CARES Act federal emergency stimulus funds, payable pursuant to the agreed-upon unit costs, except that the Agreement with Westchester Public/Private Membership Fund for Aging Services, Inc. will be payable pursuant to an approved budget. The term of each of the agreements shall commence retroactive to April 1, 2020 and continue through September 30, 2021.

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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 a grant agreement – CFDA No. 93-052 (the "NYSOFA Agreement") with the New York State Office for the Aging ("NYSOFA") to accept a grant in an amount not-to-exceed \$277,859 in FCC3 - Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") federal emergency stimulus funds under the Family Caregiver Support Program ("FCC3-CARES Act Program") in order to expand a range of services that help family and informal caregivers provide support for their older loved ones at home, in accordance with Title III-E of the Older Americans Act of 1965, as amended (the "OAA"). The NYSOFA Agreement shall commence retroactive to April 1, 2020 and continue through September 30, 2021.

The County also seeks authority to enter into agreements (the "Agreements") with the three (3) entities listed in the attached Schedule "A" to provide the services detailed in Schedule "A" under the FCC3-CARES Act Program, in accordance with Title III-E of the OAA (the "Program" or "Services"), for an aggregate amount not-to-exceed \$247,859 in CARES Act federal emergency stimulus funds, in the individual not-to-exceed amounts listed in Schedule "A," payable pursuant to the agreed-upon unit costs, except that the Agreement with Westchester Public/Private Membership Fund for Aging Services, Inc. will be payable pursuant to an approved budget. The term of each of the Agreements

shall commence retroactive to April 1, 2020 and continue through September 30, 2021. The remaining \$30,000 in CARES Act federal emergency stimulus funds will be used by the Department for Area Agency Administration.

The CARES Act provides supplemental federal emergency stimulus funding for programs authorized by the Older Americans Act of 1965 and the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act of 2014. Through these programs, a network of community-based organizations, such as Area Agencies on Aging, Centers for Independent Living, senior centers, faith-based organizations, and other non-profits provide a vast array of resources and services to help older adults and people with disabilities stay healthy and live independently in their communities.

The proposed NYSOFA Agreement and the Agreements will serve a **public purpose** because they would allow for the expansion of supportive services to help meet the needs of caregivers providing for seniors residing in Westchester County as communities implement measures to prevent the spread of the Coronavirus disease 2019 (the "COVID-19").

The **goals and objectives** of the NYSOFA Agreement are to direct funds to Area Agencies on Aging to provide support services for: (1) family caregivers; and (2) older relatives of caregivers. Services to be provided include: information to caregivers about available services; assistance to caregivers in gaining access to the services; individual counseling, and caregiver training to caregivers to assist the caregivers in making decisions and solving problems relating to their caregiving roles; respite care to enable caregivers to be temporarily relieved from their caregiving responsibilities; and supplemental services, on a limited basis, to complement the care provided by caregivers. The funding will help communities support older adults of all ages with disabilities in staying healthy, safe, and independent during the COVID-19 pandemic.

The **goals and objectives** of the Agreements are to provide supportive services to caregivers to complement its caregiving responsibilities to seniors.

The **goals and objectives** of the NYSOFA Agreement and the Agreements are in the best interest of the County because they serve as a means of providing funding to expand supportive services to caregivers of seniors in order to minimize the risk of exposure to COVID-19 and delay or divert them from institutionalization, thereby reducing Medicaid costs to the County.

The NYSOFA Agreement does not constitute procurement, and as such it is not subject to the requirements of the Westchester County Procurement Policy. The Agreements are not subject to the Federal Common Grant Rules, 45 CFR 92.36 et seq. that normally require full and open competition through the use of competitive procedures before entering into contracts, unless certain exigent circumstances exist that would permit the use of noncompetitive proposals, as set forth in 2 C.F.R. 200.320(f)(2). The COVID-19 pandemic is one such exigent circumstance that allows for noncompetitive proposals in order to expedite the distribution of these emergency relief stimulus funds to supplement and address urgent program needs such as the expansion of supportive services to caregivers of seniors in response to the COVID-19 pandemic.

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/CMC

## 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") acting by and through its Department of Senior Programs and Services (the "Department") is hereby authorized to enter into a grant agreement (the "NYSOFA Agreement") with the New York State Office for the Aging (the "NYSOFA") to accept a grant in an amount not-to-exceed \$277,859 in FCC3 - Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") federal emergency stimulus funds for Family Caregiver Support Program ("FCC3-CARES Act Program") in order to expand a range of services that help family and informal caregivers provide support for seniors at home in accordance with Title III-E of the Older Americans Act ("OAA"). The NYSOFA Agreement shall commence retroactive to April 1, 2020 and continue through September 30, 2021; and be it further

**RESOLVED**, that County is authorized to enter into agreements (the "Agreements") with three (3) entities listed in the attached Schedule "A" to provide the services detailed in Schedule "A," (the "Program" or "Services") under the FCC3-CARES Act Program, in accordance with Title III-E of the OAA, for an aggregate amount not-to-exceed \$247,859 in CARES Act federal emergency stimulus funds, and in the individual not-to-exceed amounts listed in Schedule "A," payable pursuant to the agreed-upon unit costs, except that the Agreement with Westchester Public/Private Membership Fund for Aging Services, Inc. will be payable pursuant to an approved budget. The term of each of the Agreements shall commence retroactive to April 1, 2020 and continue through September 30, 2021; 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 Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
Credited	263	85	V015	9853	G015	\$277,859
Charged	263	85	V015	4380	G015	\$247,859

Budget Funding Year(s) 2020 - 2021 Start Date 04/01/2020 End Date 9/30/2021  
(must match resolution)

Funding Source Tax Dollars: \$0

State Aid: \$0

\$277,859 Federal Aid: \$277,859

(must match resolution)

**SCHEDULE "A"**

FCC3 - CARES ACT FOR  
FAMILY CAREGIVER SUPPORT PROGRAM UNDER  
TITLE III-E OF THE OLDER AMERICANS ACT

April 1, 2020 – September 30, 2021

<b>CONTRACTORS</b>	<b>SERVICES TO BE PROVIDED</b>	<b>FEDERAL FUNDING NOT-TO-EXCEED AMOUNT</b>
Family Services of Westchester, Inc.	Assistance: Information and Referral	\$4,600
Family Service Society of Yonkers	Kinship: educational assistance/remote learning support; and Kinship: equipment for kinship families to support remote learning	\$27,000
	In-Home Contact and Support	\$60,000
Westchester Public/Private Membership Fund for Aging Services, Inc.	Caregiver Coaching	\$156,259
<b>Total Funding for Contractor Services</b>		<b>\$247,859.00</b>

APPROVED BOARD OF ACQUISITION & CONTRACT ADMINISTRATION  
APR 1 2021  
JOAN COCCIARDI, SECRETARY