

82894

DATE: February 24, 2021

TO: Board of Acquisition & Contract

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

RE: Request for authorization for the County of Westchester to amend an agreement with Westchester Public-Private Membership Fund for Aging Services, Inc. in order to exercise the fourth of its four (4) renewal options to provide the Chronic Disease Self-Management Program, the Chronic Pain Self-Management Program and the Tomando Control de su Salud Program to elderly persons 60 years and older residing in Westchester County under Title III-D of the Older Americans Act for an aggregate amount not to exceed \$95,000 comprised \$63,246 of federal funds and \$31,754 in County tax dollars, for the period beginning on January 01, 2021 through December 31, 2021.

By resolution approved on February 10, 2017, 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 with the Westchester Public-Private Membership Fund for Aging Services, Inc. (the "Contractor") for the purpose of providing the Chronic Disease Self-Management Program, the Chronic Pain Self-Management Program and the Tomando Control de su Salud Program to elderly persons 60 years and older residing in Westchester County under Title III-D of the Older Americans Act (the "Programs"), for an aggregate amount not to exceed \$95,000 comprised of \$71,130 in federal funds and \$23,870 in County Tax Dollars, payable based on an approved budget for actual services provided, for the Program period beginning on March 01, 2017 through December 31, 2017, with the County having the option, at its sole discretion, to extend the term of the Agreement with the Contractor for up to four (4) additional (1) one-year periods, on the same terms and conditions, including the budget, as the initial term, subject to the availability of funds, acceptable past performance, and the County's determination that an extension is in its best interest, subject to the prior approval of your Honorable Board (the "Agreement"). The Agreement was subsequently executed.

By resolution approved on February 22, 2018, your Honorable Board authorized the County to amend the Agreement with the Contractor in order to exercise the first of the County's four (4) options to renew the Agreement to provide the Programs for the program period beginning on January 1, 2018 and continuing through December 31, 2018 (the "First Renewal") at the same aggregate funding amount as the initial Agreement; however, noting that the federal funding decreased by \$15,781 from \$71,130 to \$55,349 and

the County tax dollars increased by \$15,781 from \$23,870 to \$39,651. NYSOFA cut federal funding by \$15,781, which made it necessary to increase the County match by that amount in order to effectively run the Program (the "First Amendment"). The First Amendment was subsequently executed.

By resolution approved on February 28, 2019, your Honorable Board authorized the County to amend the Agreement with the Contractor in order to exercise the second of the County's four (4) options to renew the Agreement to provide the Programs for the program period beginning on January 1, 2019 and continuing through December 31, 2019 (the "Second Renewal") at the same aggregate funding amount as the initial Agreement and First Renewal, however, noting that for the 2019 program year, the federal funding increased by \$12,630 from \$55,349 to \$67,979 and the County tax dollars decreased by \$12,630 from \$39,651 to \$27,021 (the "Second Renewal"). NYSOFA increased federal funding by \$12,630, which allowed for a decrease in the County match by that amount, resulting in a savings of County Tax Dollars (the "Second Amendment"). The Second Amendment was subsequently executed.

By resolution approved on April 2, 2020 (the "April 2nd Resolution"), your Honorable Board authorized the County to amend the Agreement with the Contractor in order to exercise the third of the County's four (4) options to renew the Agreement to provide the Programs for the program period beginning on January 1, 2020 and continuing through December 31, 2020 (the "Third Renewal") at the same aggregate funding amount as the initial Agreement and all prior subsequent renewals; however, noting that for the 2020 program year, the federal funding decreased by \$4,733 from \$67,979 to \$63,246 and the County tax dollars increased by \$4,733 from \$27,021 to \$31,754. NYSOFA cut federal funding by \$4,733, which made it necessary to increase the County match by that amount in order to effectively run the Programs. Additionally, the County was also authorized to further amend the Agreement to incorporate a questionnaire entitled Questionnaire Regarding Business Enterprises Owned and Controlled by Service-Disabled Veterans as required by the County (the "Third Amendment"). The Third Amendment was executed.

The County now seeks the authority of your Honorable Board to amend the Agreement with the Contractor in order to exercise its fourth and final option to renew the Agreement with the Contractor for provision of the Programs for the program period beginning on January 1, 2021 and continuing through December 31, 2021 (the "Fourth Renewal") at the same aggregate funding amount as the initial Agreement and all prior subsequent renewals; however, noting that for the 2021 program year, the federal funding and County Tax dollars will be at the same amounts as the Third Renewal. NYSOFA cut federal funding by \$4,733, which made it necessary to increase the County match by that amount in order to effectively run the Program.

It should be noted that for the 2020, program year, the Contractor provided 43 information sessions with 189 unique contacts with seniors and delivered workshops to 156 seniors in locations throughout Westchester County. Participant satisfaction surveys managed by an independent third party showed consistent positive responses to all questions.

The Agreement with the Contractor is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof; however, it is subject to the Federal Common Grant Rules at 2 CFR § 200.324 (a) that requires grantees to conduct a price analysis prior to recommending a renewal of an Agreement. In an effort to comply with this requirement, the Department solicited capability and price quotations from three organizations for the services to determine if there were other potential Contractors that could provide all three programs at a cost effective price. For those that provided information, their costs were substantially higher than the Contractor's rates and the capability to offer the volume of all three programs

was lacking. Therefore, upon analysis, it has been determined that it is in the Department's best interest to renew the agreement with the Contractor based on the following facts: the Contractor has successfully provided all three program services over the past year at a cost effective rate.

Accordingly, approval of the attached resolution is most respectfully recommended.

MC/SJ

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/01/2021 - LISA MARIJA SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM MAE CARPENTER, 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 amend its agreement (the "Agreement") with the Westchester Public-Private Membership Fund for Aging Services, Inc. (the "Contractor") in order to exercise its fourth and final renewal option to provide the Chronic Disease Self-Management Program, the Chronic Pain Self-Management Program and the Tomando Control de su Salud Program to elderly persons 60 years and older residing in Westchester County under Title III-D of the Older Americans Act (the "Programs"), for an aggregate amount not to exceed \$ 95,000 comprised of 63,246 in federal funds and \$31,754 in County tax dollars, payable based on an approved budget for actual services provided, for the program period beginning on January 01, 2021 and continuing through December 31, 2021 (the "Fourth Renewal" also the "Fourth Amendment"); and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions set forth in the Agreement and subsequent renewals with the Contractor shall 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: \$95,000
 First Renewal: \$95,000
 Second Renewal: \$95,000
 Third Renewal: \$95,000
 Fourth Renewal: \$95,000
 Total: \$475,000

Account to be charged	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	85	943W	4380	T-943	\$95,000

Budget Funding Years 2021 Start Date 1/1/2021 End Date 12/31/2021

(must match resolution)

Funding Source

County

\$95,000.00

Tax Dollars \$31,754

State Aid \$0

(must match resolution)

Federal Aid \$63,246

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/01/2021 - LISA MRIJAJ, SECRETARY