

**87300**

**DATE:** August 31, 2021

**TO:** Board of Acquisition and Contract

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

**RE:** Request for authority for the County of Westchester to amend an agreement with Westchester Jewish Community Services, Inc. in order to exercise the third of the County's four (4) options to extend the term of the Agreement to provide Escort Assistance services under Title III-E of the Older Americans Act for an amount not to exceed \$116,210 in federal funds, for the period from January 1, 2021 through December 31, 2021.

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By resolution approved on August 16, 2018 (the "August 16<sup>th</sup> Resolution") your Honorable Board authorized the County acting by and through its Department of Senior Programs and Services (the "Department") to enter into an agreement (the "Agreement") with Westchester Jewish Community Services, Inc. (the "Contractor") for the purpose of providing Escort Assistance, as defined by the Older Americans Act ("OAA"), Title III, Part E, Section 373 (a)(4 & 5), to elderly persons 60 years or older residing in Westchester County (the "Program"), for the period beginning on June 1, 2018 through December 31, 2018. Federal funding for the initial term of the Program was for an amount not to exceed \$62,665, payable based on an agreed-upon unit cost for actual services provided and data entered in New York State Office for the Aging's ("NYSOFA's") Peer Place System, with the County's at its sole and complete discretion having the option to increase or decrease available funds, which would impact the not-to exceed amount of the contract. For the initial term of the Program, the Contractor was also required to contribute an amount not to exceed \$3,298 in Contractor matching funds to the Program (the "Initial Term"). The Agreement was subsequently executed.

The August 16<sup>th</sup> Resolution also stipulated that the County, in its sole discretion, could extend the term of the Agreement for up to four (4) additional one (1) year periods (each an "Option Term"), on the same terms and conditions, 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, subject to the prior approval of your Honorable Board, noting that funding may vary from year to year, in which case the County reserves the right to adjust the not-to-exceed amount of each Option Term. The Resolution also stipulated that each subsequent Option Term that may be approved by your Honorable Board would begin on January 1<sup>st</sup> through December 31<sup>st</sup>.

Thereafter, by resolution approved on March 21, 2019, your Honorable Board authorized the County to amend the Agreement with the Contractor to provide the Program in order to extend the term of the Agreement for an additional one-year period for the program period beginning on January 1, 2019 and continuing through December 31, 2019 (the "First Option Term") in an

amount not to exceed \$109,696 in federal funds with the Contractor required to contribute \$5,773 in Contractor matching funds to the program (the "First Amendment"). The First Amendment was subsequently executed.

Thereafter, by resolution approved on April 2, 2020, your Honorable Board authorized the County to amend the Agreement with the Contractor to provide the Program in order to 1) extend the term of the Agreement for an additional one-year period for the program period beginning on January 1, 2020 and continuing through December 31, 2020 (the "Second Option Term"); 2) increase the not to exceed amount in federal funds for the Second Option Term by \$6,514 from \$109,696 to \$116,210, noting that the Contractor's match to the Program increased by \$343 from \$5,773 to \$6,116; and 3) include a questionnaire entitled Questionnaire Regarding Business Enterprises Owned and Controlled by Service-Disabled Veterans required by the County (the "Second Amendment."). The Second Amendment was subsequently executed.

The County has determined that it requires the Program services for the 2021 calendar year, and the Contractor has satisfactorily provided the Program for the 2020 program period.

Therefore, the County now seeks the authority of your Honorable Board to amend the Agreement with the Contractor to provide the Program in order to extend the term of the Agreement for an additional one-year period for the program period beginning on January 1, 2021 through December 31, 2021 (the "Third Option Term"). Funding for the Third Option Term will be in an amount not to exceed \$116,210 (the "Third Amendment."). The Contractor's match to the Program will be \$6,116. It should be noted that the Department arranged with NYSOFA to change the Program name to better reflect the services to be provided. Therefore, the Department will issue a Request for Proposals for the 2021 program year after the "new" program name has been finalized. The Contractor will continue to provide the Escort Assistance Program under the Third Option Term and will be paid for services rendered up until the Department selects a contractor to provide the "new" program. The selected contractor will be paid the remaining difference of funding up to the not to exceed amount of the Third Option Term.

The proposed 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 that mandate a price analysis be conducted before the County can exercise an option to extend the Agreement. Therefore, the Department solicited price proposals from qualified agencies to determine if it could find providers to better provide the Program services at a more cost-effective rate. After a careful review of the prices proposals, the Department determined that the Contractor has the only program of its type to provide unique respite services to caregivers in Westchester County. A comparison of all of the programs reviewed shows that the Contractor provides the most comprehensive Escort Assistance Program as it offers more socially viable options for cognitively impaired seniors to participate in activities of daily living in order to age in place with dignity for as long as possible. The Program is geared to providing much needed assistance to overburdened caregivers in the form of a respite service that gives caregivers a break from the arduous responsibilities of caring for those with Alzheimer's disease, dementia or some type of cognitive decline. Therefore, we believe that it would be in the best interest of the County for your Honorable Board to extend the Agreement with the Contractor for the aforementioned reasons.

The Contractor provided 1,592 units of service to 66 duplicated and 36 unduplicated clients in 2020. The service is free to participants and is offered county-wide.

Except as specifically to be amended as described herein, all other terms and conditions set forth in the Agreement, as previously amended, would remain in full force and effect.

I respectfully recommend the adoption of the attached Resolution.

MC/SJ

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/23/2021 - RAYMOND SCULKY, SECRETARY

## 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 amend an agreement (the "Agreement") with Westchester Jewish Community Services, Inc. (the "Contractor") in order to exercise the third of the County's four (4) options to extend the term of the Agreement to provide Escort Assistance, as defined by the Older Americans Act ("OAA"), Title III, Part E, Section 373 (a)(4 &5), to elderly persons 60 years or older residing in Westchester County (the "Program") for the period beginning on January 1, 2021 through December 31, 2021 (the "Third Option Term"). Federal funding for the Third Option Term will be in an amount not to exceed \$116,210, payable based on the agreed-upon unit cost for actual services provided and data entered in New York State Office for the Aging's ("NYSOFA's") Peer Place System (the "Third Amendment"); and be it further

**RESOLVED,** that the Contractor's match to the Program will be in an amount not to exceed \$6,116.

**RESOLVED,** that except as specifically amended hereby, all other terms and conditions set forth in the Agreement, as previously amended, 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.

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/23/2021 BY: [Signature] SECRETARY

Initial Agreement: \$62,665  
 First Amendment: \$109,696  
 Second Amendment: \$116,210  
 Third Amendment: \$116,210  
 Total: \$404,781

Account to be charged	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	85	448W	4380	T448	\$116,210
Budget Funding Year(s) (must match resolution)	<u>2021</u>		Start Date	<u>1/1/2021</u>	End Date	<u>12/31/2021</u>
Funding Source	Tax Dollars		<u>\$0.00</u>			
	State Aid		<u>\$0.00</u>			
\$116,210 (must match resolution)	Federal Aid		<u>\$116,210</u>			

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