

**19424**

DATE: May 15, 2011

TO: Board of Acquisition & Contract

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

RE: Authority to:

- a) Enter into an Agreement with the New York State Office for the Aging to accept a grant in the sum of \$1,373,323 to provide nutrition services to the elderly under the Supplemental Nutrition Assistance Program and the Nutritional Services Incentive Program of the Older Americans Act, for the program period April 1, 2011 through March 31, 2012; and
- b) Enter into inter-municipal agreements with the fourteen (14) municipalities set forth in the attached schedule, to administer nutrition services, including congregate and home-delivered meal programs, outreach, nutrition education and nutrition counseling, to the elderly under the Supplemental Nutrition Assistance Program and the Nutritional Services Incentive Program, for a total aggregate amount not-to-exceed \$1,099,144, and in the individual not-to-exceed amounts set forth in the attached schedule, for the program period April 1, 2011 through March 31, 2012

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The County of Westchester, acting by and through the Department of Senior Programs and Services (the "Department"), seeks authority from your Honorable Board to enter into an agreement with the New York State (the "State") Office for the Aging ("NYSOFA") to accept a grant in the sum of \$1,373,323 to provide nutrition services to the elderly under the Supplemental Nutrition Assistance Program ("SNAP") and the Nutritional Services Incentive Program ("NSIP") of the Older Americans Act, for the program period April 1, 2011 through March 31, 2012 (the "NYSOFA Agreement").

In addition, the County, acting by and through the Department, also seeks authority to enter into inter-municipal agreements with the fourteen (14) municipalities (or "subcontractors") set forth in Schedule "A", for the purpose of administering the aforementioned nutrition services, including congregate and home-delivered meal programs, outreach, nutrition education and nutrition counseling, to the elderly, for a total aggregate amount not-to-exceed \$1,099,144, and in the individual not-to-exceed amounts set forth in Schedule "A", for the program period, from April 1, 2011 through March 31, 2012 (collectively, the "Inter-municipal Agreements"). The remaining \$274,179 in NYSOFA grant funds will be used directly by the Department to provide nutrition education and counseling services.

With regard to the distribution of NSIP funding, the agreements with the fourteen (14) municipalities listed in Schedule "A" will provide that the Department will be authorized to distribute such funding 1) contingent upon its receiving further State approval; and 2) by providing the subcontractors with written confirmation that the State has authorized the distribution of such funds, without the need for the subcontractor to execute a supplemental agreement. This practice was approved by your Honorable Board last year to avoid the administrative difficulties involved in distributing NSIP funds prior to the State-imposed deadline.

The proposed agreements will serve a public purpose by promoting the health of elderly Westchester residents. The programs funded and operated under the proposed agreements will benefit the public good by helping to prevent malnutrition among elderly residents of Westchester and improving the overall health of elderly participants.

The goals and objectives of the proposed agreements are to provide nutrition services to seniors who are 60 years of age or older and who are looking to satisfy the basic needs of food, nutrition and socialization. During the SNAP 2010-2011 contract period, 174,456 meals were provided to 1,382 seniors.

The home-delivered meals program specifically aims to maintain or improve the well-being of those seniors who are at increased nutritional risk. The risk status is determined by a nutrition screening, which is part of the required client assessment.

The proposed agreements will require that all congregate and home-delivered meals be prepared in accordance with NYSOFA's nutrition program standards. The nutrition program standards are included as part of each subcontractor's contractual agreement.

All meals provided by the subcontractors will be prepared and served by congregate sites or home-delivered meals programs approved by the County Department of Health. All meals will be served in accordance with State Department of Health's Sanitary Code and Food Safety regulations. Each meal will provide at least one-third of the recommended dietary allocation ("RDA") for an individual, as established by the United States Department of Agriculture.

The goals and objectives of the proposed agreements are in the best interests of the County in terms of public health because providing nutritious meals to seniors will help them to maintain or improve their nutritional intake and, accordingly, their overall health. The goals and objectives of the NYSOFA agreement are also in the best interests of the County in terms of fiscal responsibility, as the County would otherwise have to provide these vital meal services using County funds.

The goals and objectives of the proposed agreements will be tracked, monitored and evaluated by the Nutrition, Health and Wellness Unit of the Department, to ensure compliance with Federal, State and County regulations. On-site monitoring, subcontractor monthly report reviews and contract meal performance management will be completed by assigned nutrition staff. On-site reviews will be conducted bi-annually by nutrition staff and annually by NYSOFA.

In addition, the subcontractor's meal performance will be monitored by Department staff via computerized meal performance reports. These reports represent a compilation of monthly data submitted by each subcontractor. The meal service will also be evaluated by administering client satisfaction surveys to all participating seniors.

The Westchester County Board of Legislators, by Act No. 6 of 2011, authorized the County to enter into inter-municipal agreements with municipalities in Westchester County to provide nutrition assistance to the elderly.

The NYSOFA Agreement and Inter-Municipal Agreements are exempt from the County Procurement Policy pursuant to Section 3(a)iii thereof.

Accordingly, I most respectfully recommend adoption of the attached proposed resolution.

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/16/2011 - JOMARY NEIRA, SECRETARY

## RESOLUTION

Upon communication from the Commissioner of the Westchester County Department of Senior Programs and Services:

RESOLVED, that the County of Westchester is hereby authorized to enter into an agreement with the New York State Office for the Aging ("NYSOFA") to accept a grant in the sum of \$1,373,323 to provide nutrition services to the elderly under the Supplemental Nutrition Assistance Program ("SNAP") and the Nutritional Services Incentive Program ("NSIP") of the Older Americans Act, for the program period April 1, 2011 through March 31, 2012; and be it further

RESOLVED, that the County of Westchester is hereby authorized to enter into inter-municipal agreements with the fourteen (14) municipalities ("subcontractors") listed in Schedule "A" to administer nutrition programs for the elderly under SNAP and NSIP of the Older Americans Act, for a total aggregate amount not-to-exceed \$1,099,144, and in the individual not-to-exceed amounts set forth in Schedule "A", for the program period April 1, 2011 through March 31, 2012 (collectively, the "Inter-Municipal Agreements"); and be it further

RESOLVED, that with regard to the distribution of NSIP funding, the agreements with the subcontractors shall provide that the Department will be authorized to distribute such funding 1) contingent upon its receiving State approval; and 2) by providing the subcontractors with written confirmation that the State has authorized the distribution of such funds, without the need for the subcontractor to execute a supplemental agreement; and be it further

RESOLVED, that the Inter-Municipal Agreements are subject to County Appropriations; and be it further

RESOLVED, that the Inter-Municipal Agreements are also subject to the further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Inter-Municipal Agreements, or any individual inter-municipal agreement, or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to any or all of the fourteen (14) municipalities/subcontractors listed in Schedule "A", then each municipality/subcontractor receiving such an offer shall have the right to terminate its agreement upon reasonable prior written notice; 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.

## Schedule "A"

<u>MUNICIPALITY</u>	STATE FUNDS	NSIP	TOTAL
	<u>NOT-TO-EXCEED</u>	<u>NOT-TO-EXCEED</u>	<u>NOT-TO-EXCEED</u>
Cortlandt	\$4,059	\$1,776	\$5,835
Eastchester	\$46,454	\$20,330	\$66,784
Greenburgh	\$113,459	\$49,654	\$163,113
Mamaroneck	\$4,725	\$2,068	\$6,793
Mount Kisco	\$5,661	\$2,477	\$8,138
Mount Pleasant	\$41,843	\$18,312	\$60,155
Mount Vernon	\$76,328	\$33,404	\$109,732
New Castle	\$21,319	\$9,330	\$30,649
Ossining	\$47,306	\$20,702	\$68,008
Peekskill	\$87,645	\$38,356	\$126,001
Port Chester	\$32,614	\$14,274	\$46,888
Somers	\$87,442	\$38,268	\$125,710
Yonkers	\$190,325	\$80,680	\$271,005
Yorktown	<u>\$7,187</u>	<u>\$3,146</u>	<u>\$10,333</u>
Total	\$766,367	\$332,777	\$1,099,144

Original Agreement     \$1,373,323  
 TOTAL                     \$1,373,323  
 Agreement #

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	85	928L	4380	T928	\$766,367
263	85	939K	4380	T939	\$332,777
263	85	928L	Various	T928	\$274,179
263	85	928L	9854	T928	\$1,040,546
263	85	939K	9853	T939	\$332,777

Budget Funding Year(s) Unit 928L    2011-2012    Start Date 4/1/11    End Date 3/31/12  
 (must match resolution)

Unit 939K    2010-2011    Start Date 10/1/10    End Date 9/30/11

Funding Source            Tax Dollars \_\_\_\_\_

State Aid    \$1,040,546

\$1,373,323                    Federal Aid \$332,777

(must match resolution) Other \_\_\_\_\_