

23703

TO: The Board of Acquisition and Contract

FROM: Sherlita Amler, MD
Commissioner of Health

DATE: December 16, 2011

RE: Authority to amend a resolution approved on February 10, 2011, which authorized the County to enter into contract with the City of New York pursuant to Part A of the Ryan White HIV/AIDS Treatment Extension Act for the term 3/1/11 – 2/29/12 in order to enter into contract with the Westchester County Health Care Corporation for the not-to-exceed amount of \$322,334 for the same budget period to provide medical case management and oral health care services.

Contract Period:	3/1/11 – 2/29/12
Amount:	\$322,334.00

On July 10, 1991, the Board of Legislators authorized the County of Westchester, acting by and through its Department of Health, to participate in the Ryan White CARE Act of 1990 on an ongoing basis by entering into intergovernmental agreements with the City of New York and the Counties of Rockland and Putnam.

For purposes of Title I of the CARE Act, the Federal Health Services & Resources Administration had determined that the City of New York and the Counties of Westchester, Rockland and Putnam together (the “Tri-County region”) comprised an eligible metropolitan area and, therefore, qualify for financial support from the program. Since 1991 the City of New York and the Westchester County Department of Health entered into contract under the CARE Act – and subsequently under Part A of the present-day reauthorized Ryan White HIV/AIDS Treatment Extension Act of 2009 – to fund HIV-related outpatient health and support services for residents in the Tri-County region through 2/28/14 (the “Agreement”) as authorized on November 26, 2008. The Agreement covers six (6) budget periods each at a not-to-exceed amount of \$6,500,000 for a total not-to-exceed contract amount of \$39,000,000.

On February 10, 2011, a resolution (the “February 10th Resolution”) was approved to accept funding from the City of New York not-to-exceed \$6,500,000 for the budget period 3/1/11 – 2/29/12, and to enter into contracts for direct service provision for the same period.

On September 8, 2011, a second resolution was approved to increase the not-to-exceed contract amounts of several agencies in order to provide additional food/nutrition, HIV testing, housing, and transportation services. The September resolution increased the total not-to-exceed amount for all contracts to \$4,853,635, leaving a balance of \$833,524 to be sought at a later date.

As part of this year's original spending plan, the Tri-County Ryan White Part A Steering Committee allocated funding for the continuation of medical case management and oral health care services provided in the previous year by the Westchester County Health Care Corporation (WCHCC), pursuant to a continuing funding application. Budgets for both services have been approved by the Department.

On November 29, 2011 the Westchester County Board of Legislators adopted Act No. 174 - 2011 authorizing the County to enter into an agreement with the WCHCC for a term commencing 3/1/11 – 2/29/12 whereby, under the Ryan White legislation, the WCHCC will provide medical case management and oral health care services for Westchester, Rockland and Putnam County residents with HIV/AIDS. The Department now requests authority to amend the February 10th Resolution in order to enter into contract with the WCHCC for the term 3/1/11 – 2/29/12 for an amount not-to-exceed \$322,334 to provide medical case management and oral health care services.

The WCHCC contract is exempt from Section 3(a)(viii) of the Procurement Policy relating to “contracts for medical or health-related services,” and Section 3(a)(xiv) relating to procurement “for the purpose of entering into a contract or contracts with not for profit organizations for the purposes of providing aid, care and support to persons in need of public assistance.”

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.

Except as specifically amended herein, all other terms and conditions of the February 10th Resolution shall remain the same.

Approval of the attached resolution is respectfully requested.

Enc.

RESOLUTION

Upon a communication from the Commissioner of Health, be it hereby

RESOLVED, that the resolution approved on February 10th (the "February 10th Resolution"), which authorized the County, acting by and through the Westchester County Department of Health to accept funding from the City of New York for the not-to-exceed amount of \$6,500,000 for the contract period 3/1/11 – 2/29/12 and to enter into contracts with various health and supportive care agencies, be amended to authorize the County to enter into contract with the Westchester County Health Care Corporation for an amount not-to-exceed \$322,334 for the same period to provide medical case management and oral health care services, subject to and pursuant to approved budgets; and be it further

RESOLVED, that except as specifically amended herein, all other terms and conditions of the February 10th Resolution shall remain the same; and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

Original Resolution	\$4,853,635
Second Resolution	162,841
This Resolution	<u>322,334</u>
Total	\$5,338,810

County of Westchester
December 16, 2011

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
263	27	027L	4380	T027	\$322,334

Budget Funding Year(s) 2011-2012 Start Date 3/1/11 End Date 2/29/12

Funding Source	Tax Dollars _____
	State Aid _____
<u>\$322,334</u>	Federal Aid <u>100% pass-through</u>
	Other _____