

33427

DATE: April 12, 2013

TO: Board of Acquisition & Contract

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

RE: Authority to enter into Agreements with Family Service of Westchester, Inc. and the Mental Health Association of Westchester, Inc. to provide various support services for the elderly under Title IIIB of the Older Americans Act, for a total aggregate amount not-to-exceed \$100,662, in the individual amounts set forth in the attached Schedule "A," for the period January 1, 2013 through December 31, 2013

The County of Westchester (the "County"), acting by and through the Department of Senior Programs and Services (the "Department"), seeks authority from your Honorable Board to enter into agreements (the "Agreements") with Family Service of Westchester, Inc. ("FSW") and the Mental Health Association of Westchester, Inc. ("MHA") (the "Contractors") for a total aggregate amount not-to-exceed \$100,662, comprised of \$22,000 in Federal Grant funds and \$78,662 in County tax dollars, in the individual amounts set forth in the attached Schedule A, for the purpose of providing various support services for the elderly under Title IIIB of the Older Americans Act. The Agreements will commence on January 1, 2013 and continue through December 31, 2013, with the county having the sole option to renew the agreements for up to five (5) additional one-year periods, subject to the prior approval of your Honorable Board.

The Agreement with FSW will serve a public purpose by providing information and assistance to Westchester County seniors in the community to help avoid premature institutionalization. FSW will help seniors locate transportation services that meet their needs both in terms of scheduling and pricing. They will operate a centralized call center, in which they will take calls from seniors, determine their needs and then present them with available transportation options.

The Agreement with MHA will serve a public purpose by operating the long term care ombudsman program in Westchester County. The long term care ombudsmen program provides advocates for residents of nursing homes, board and care homes, assisted living facilities, and similar adult care facilities. They work to resolve problems of individual residents and to bring about improvement in care. Trained staff and volunteer ombudsmen regularly visit long-term care facilities, monitor conditions and care and provide a voice for those unable to speak for themselves. The long term care ombudsman program providing residents in long term care facilities with someone that will advocate for their rights, dignity and quality care.

The goals and objectives of these Title III-B programs are to provide families and seniors throughout Westchester County with Information and Assistance services and

to provide advocacy for long term care residents. These goals and objectives are in the County's best interest in terms of public health, as these services will enable residents in long term care facilities to have advocates speak on their behalf to resolve problems and bring about an improvement in residents' care and quality of life. These goals and objectives are also in the County's best interest in terms of fiscal responsibility because they aim to reduce or delay nursing home institutionalization, thereby reducing Medicaid costs for the County, State and Federal governments and improving the general well-being of the County's elderly.

The services will be tracked, monitored and evaluated through monthly reporting activities and annual on-site reviews to determine if the contract performance goals and objectives are being met in a fiscally responsible and appropriately safe fashion. Annually, the New York State Office for the Aging monitors and evaluates whether the Department is meeting its requirements to conduct proper oversight. Additionally, client satisfaction is monitored through the use of surveys.

The Agreements are exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof. However, it should be noted that \$22,000 in Federal Title IIIB funding will be used to fund the contract with MHA. Although competitive procurement would ordinarily be required under the Federal Common Grant Rules, the Department was advised in 2011 by Mark Miller, the State Omnibusman that since "the MHA is the single, officially designated ombudsman program for the county . . . putting designated IIIB funds out through an RFP process seems to be an unnecessary administrative burden for both the county and MHA . . . [and] I do not believe the designation of a second entity to cover the jurisdiction would be in the best interests of the program or the long-term care residents of the county."

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

MC/SJ/

Att.

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") is hereby authorized to enter into agreements (the "Agreements") with Family Services of Westchester, Inc. and the Mental Health Association of Westchester, Inc. (the "Contractors") for a total aggregate amount not-to-exceed \$100,662, comprised of \$22,000 in Federal Grant funds and \$78,662 in County tax dollars, in the individual amounts set forth in the attached Schedule A, to provide various support services for the elderly pursuant to Title IIIB of the Older Americans Act, for a term commencing January 1, 2013 and continuing through December 31, 2013, with the County having the sole option to renew the agreements for up to five (5) additional one-year periods, subject to the prior approval of your Honorable Board; and be it further

RESOLVED, that the agreements with the Contractors are also subject to County Appropriations; and be it further

RESOLVED, that the agreements are also subject to 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 adoptions(s), to conduct an analysis of the impacts of such State Budget on County finances. After such analysis, the County shall retain the right to either terminate these Agreements or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractors, then the Contractors shall have the right to terminate their respective Agreements 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.

Account to be	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
Charged	263	85	686N	4830	T-686	\$100,662
Budget Funding Year(s) (must match resolution)	2013		Start Date	1/1/13	End Date	12/31/13
Funding Source	Tax Dollars		\$ 78,662			
	State Aid		\$ 0			
\$100,662 (must match resolution)	Federal Aid		\$ 22,000			
	Other		\$ 0			

APPROVED BOARD OF ACQUISITION & CONTRACT 105/09/2013 - JOHANNY VEIRA, SECRETARY

SCHEDULE A

Agency	Federal Funds	Subcontractor Match	County Match	Net
Family Service of Westchester Inc.	\$0	\$0	\$50,000	\$50,000.00
Mental Health Association of Westchester, Inc.	\$22,000	\$0	\$28,662	\$50,662.00
Totals	\$22,000.00	\$0.00	\$78,662.00	\$100,662.00

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/09/2013 - JOMARY VILMA, SECRETARY