

39201

DATE: March 24, 2014

TO: Board of Acquisition & Contract

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

RE: Request for authority to:

- a) amend agreements with Family Services of Westchester, Inc. and The Wartburg Home of the Evangelical Lutheran Church (the "Contractors") to exercise the second of two (2) options to renew the Agreements for the purpose of providing social adult day care respite services to persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations under the Expanded In-Home Services for the Elderly Program (the "Program") for a total aggregate amount not to exceed \$143,760, in the individual amounts set forth in the attached Schedule "A" for the program period April 1, 2014 through March 31, 2015 (the "Agreements"); and
- b) amend the Agreements with the Contractors to add certain provisions required by the New York State Office for the Aging concerning equal access to services, non-discrimination and concentration of services on target populations.

By resolution approved on May 24, 2012 (the "May 24th Resolution"), your Honorable Board authorized the County to enter into agreements (the "Agreements") with Family Services of Westchester, Inc. ("FSW") and The Wartburg Home of the Evangelical Lutheran Church ("Wartburg") hereinafter (the "Contractors") for the purpose of providing social adult day care respite services to persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations, under the Expanded In-Home Services for the Elderly Program (the "Program") for the period commencing April 1, 2012 and terminating March 31, 2013, in a total aggregate amount not-to-exceed \$143,760, in the individual amounts set forth in Schedule "A", attached to the May 24th Resolution, with the County having the sole option to renew the Agreements for up to two (2) additional one-year periods, subject to the prior approval of your Honorable Board. The Agreements were subsequently executed.

Thereafter by resolution approved on April 25, 2013 (the "April 25th Resolution"), your Honorable Board authorized the County to exercise the first of its two (2) options to renew the Agreements with the Contractors for the purpose of providing the aforementioned Program services, for a total aggregate amount not to exceed \$143,760, comprised of \$129,384 in State funds and \$14,376 in Contractor matching funds, in the individual amounts set forth in Schedule "A", attached to the April 25th Resolution, for the program period April 01, 2013 through March 31, 2014 (the "First Amendments"). These First Amendments were subsequently executed.

The County now seeks authority from your Honorable Board to exercise the second of its two (2) options to renew the Agreements with the Contractors for the purpose of providing the aforementioned Program services, for a total aggregate amount not to exceed \$143,760, comprised of \$129,384 in State funds and \$14,376 in Contractor matching funds, in the individual amounts set forth in the attached Schedule "A", for the program period April 01, 2014 through March 31, 2015 (the "Second Amendments").

Authority is also requested to amend the Agreements with the Contractors to add certain provisions required by NYSOFA concerning equal access to services, non-discrimination and concentration of services on target populations. By way of background, on July 17, 2012 NYSOFA issued its revised Equal Access and Targeting Policy (12-PI-08) clarifying the responsibilities of New York State's Aging Network Providers under federal and state laws regarding equal access to services and nondiscrimination in serving all cohorts of New York's older adults and caregivers. The program Instruction also addressed the federal and state requirements for targeting activities to reach those unserved and underserved groups that are in greatest social and/or economic need. The Area Agencies on Aging ("AAAs") were instructed that they are responsible for requiring all aging service providers under their respective planning and service area to comply with requirements for equal access (including language accessibility), nondiscrimination and concentration of services on target populations as required in the Older Americans Act (OAA), NYS regulations, other relevant laws, and NYSOFA policies. The AAAs were further instructed to include these requirements in each agreement made with such providers (OAA §306[a][4][A]) and to specify how the provider intends to meet specific objectives for satisfying the service needs of, and providing services to, low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas (OAA §306[a][4][A]). Accordingly, these requirements will be added to the Second Amendments in the form of an appendix.

The Agreements with the Contractors are exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof.

Except as specifically amended hereby, all remaining terms and conditions of the Agreements, as previously amended, shall remain the same.

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

MC/SJ/

RESOLUTION

UPON A 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 amend agreements (the "Agreements") with Family Services of Westchester, Inc. and The Wartburg Home of the Evangelical Lutheran Church (the "Contractors") to exercise the second of its two (2) options to renew the Agreements for the purpose of providing social adult day care respite services to persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations (the "Program") for a total aggregate amount not to exceed \$143,760, comprised of \$129,384 in State funds and \$14,376 in Contractor matching funds, in the individual amounts set forth in the attached Schedule "A", for the program period April 1, 2014 through March 31, 2015; and be it further

RESOLVED, that the County is hereby further authorized to amend the Agreements with the Contractors to add certain provisions required by NYSOFA concerning equal access to services, non-discrimination and concentration of services on target populations.

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreements, as previously amended, shall remain the same; 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.

Original Agreement: \$143,760.00
 First Amendment: \$143,760.00
 Second Amendment: \$143,760.00
 TOTAL: \$431,280.00

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
263	85	048P	4380	T048	\$129,384.00
NA	N/A	N/A	N/A	N/A	\$ 14,376.00

Budget Funding Year(s) 2014 - 2015 Start Date 4/1/14 End Date 3/31/15

(must match resolution)

Funding Source	Tax Dollars	<u>\$0-----</u>
	State Aid	<u>\$129,384.00</u>
<u>\$143,760.00</u>	Federal Aid	<u>\$0-----</u>
(must match resolution)	Other	<u>\$14,376.00</u>

SCHEDULE "A"

<u>Agency</u>	<u>State Funds</u>	<u>Contractor Match Funds</u>	<u>Total</u>
Family Services of Westchester	\$ 64,692	\$ 7,188	\$ 71,880
Wartburg Home of the Evangelical Lutheran Church	<u>\$ 64,692</u>	<u>\$ 7,188</u>	<u>\$ 71,880</u>
Total	\$129,384	\$14,376	\$143,760

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/17/2014. JOHANNY VIEIRA, SECRETARY