

**40400**

DATE: April 24, 2014

TO: Board of Acquisition and Contract

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

RE: Request for authority to amend an agreement with Elderserve Licensed Homecare Services Agency, Inc. (the "Contractor") pursuant to which the Contractor provides Family Caregiver Project Lifesaver Services under Title IIIB of the Older Americans Act to:

- 1) Exercise the County's first renewal option and thereby extend the term of the agreement for one additional year for an amount not to exceed \$44,839, comprised of \$40,355.00 in Federal funds pursuant to an approved budget, and \$4,484.00 in Contractor matching funds for the period January 1, 2014 through December 31, 2014 ; and
- 2) Add certain provisions required by the New York State Office for the Aging ("NYSOFA") concerning equal access to services, non-discrimination and concentration of services on target populations; and
- 3) Add the revised Recipient Characteristics and Definitions on page 6 of Schedule A.

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By resolution approved on August 8, 2013 (the " August 8<sup>th</sup> Resolution") your Honorable Board authorized the County of Westchester, acting by and through the Department of Senior Programs and Services (the "Department"), to enter into an Agreement (the "Agreement") with Elderserve Licensed Homecare Services Agency, Inc. (the "Contractor") pursuant to which the Contractor provides Family Caregiver Project Lifesaver Services (the "Program") under Title IIIB of the Older Americans Act, for an amount not to exceed \$49,820.00, comprised of \$44,838.00 in Federal funds to be paid pursuant to an approved budget, and \$4,982.00 in Contractor matching funds, for the period January 1, 2013 through December 31, 2013, with the County having the sole option to renew the Agreement with the Contractor for up to five (5) additional one (1) year periods, on the same terms and conditions as the initial term, subject to the availability of funds, acceptable past performance, a determination by the Department that an extension is in the County's best interest, and the prior approval of your Honorable Board. The Agreement was subsequently executed.

The Department now seeks authority to exercise the first of its five options to renew the Agreement with the Contractor to provide the program services in an amount not to exceed \$44,839, comprised of \$40,355 in Federal funds and \$4,484 in Contractor matching funds for the period January 1, 2014 through December 31, 2014.

Authority is also requested to amend the Agreement with the Contractor 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 Amendment in the form of an appendix.

Authority is further requested to replace the Recipient Characteristics and Definitions on page 6 of Schedule A in the original agreement with a revised Recipient Characteristics and Definitions page 6 with updated Poverty Guidelines.

Although this Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof, it is subject to the Federal Common Grant Rules 45 CFR 92.36 (f), which requires grantees to perform a price or cost analysis in order to test the market before such an option may be exercised for contracts paid with grant funds. In an effort to comply with this requirement, the Department reached out to three agencies to solicit price quotations for the Program services: MedicAlert Safe Return, Comfort Zone and Keruve.

**Analysis:**

Given the dearth of Alzheimer's search programs available in New York State, the search parameters were broadened to identify Alzheimer's programs on a national or international level that might be viable options to use in a market analysis for the services provided by Project LifeSaver which is an international program. The Alzheimer's Association (national) presents with two programs (MedicAlert + Safe Return and Comfort Zone) and Keruve (International).

Caregivers and local Alzheimer's groups have created programs to speed the rescue of missing or wandering loved ones with Alzheimer's or dementia by creating registries and Silver Alert programs (similar to Amber Alerts but specific to missing or wandering seniors with Alzheimer's or a cognitive impairment) that provide first responders with identification information, physical descriptions and photographs of registrants. While this is a step in the right direction, the identification bracelets worn by the registrants in these programs, such as MedicAlert + Safe Return, can only facilitate the rapid return of the individual once they are found, assuming they are found alive.

Comfort Zone and Keruve both have a GPS type system that can help to locate the signal on their special devices. The Comfort Zone program combines the MedicAlert + Safe Return program with a GPS device. The most obvious problem with the devices used in this program is that they attach to a car (vehicle tracker) or must be carried such as a cell phone. There is no way to guarantee the tracked

item is with the missing person, if they remembered to carry the item or stay with the car? This program with all of its components and monthly fees is very expensive to maintain and alerts are only generated every 30 minutes which is a long time for someone to wander before an alert is generated or updated. Emergency personnel assisting in the search would also drastically increase the overall cost of the program.

Keruve puts the search and rescue of wandering loved ones in the hands of the caregivers. They added a security feature on their GPS styled watch to ensure it is not easily removed by the wearer. Caregivers are responsible for locating their loved one and calling law enforcement and any others required to search for their loved one if needed. This program has the capacity to be very cost effective as it does not require the extensive searches by law enforcement or other trained emergency personnel; however, it has not been widely used in the US.

**Recommendation:**

Based upon the foregoing analysis, the Department believes that it would be in the best interest of the County for your Honorable Board to amend the agreement with the Contractor because, in addition to the reasons stated above, the Contractor has performed well in providing Guardianship services over the past year.

Except as specifically provided here under, all remaining terms and conditions of the Agreement shall remain in full force and effect.

Accordingly, approval of the attached resolution is most respectfully recommended.

MC/SJ

Att.

APPROVED BOARD OF ACQUISITION & CONTRACTING 05/12/2014 - DOMINIQUE VIEIRA, 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”) be and is hereby authorized to exercise the first of its five (5) options to renew an Agreement (the “Agreement”) with Elderserve Licensed Homecare Services Agency, Inc. (the “Contractor”) pursuant to which the Contractor provides its Family Caregiver Project Lifesaver Services under Title IIIB of the Older Americans Act for an amount not to exceed \$44,839.00, comprised of \$40,355.00 in Federal funds pursuant to an approved budget, and \$4,484.00 in Contractor matching funds, for the program period January 1, 2014 through December 31, 2014; and

**RESOLVED,** that the County is hereby further authorized to amend the Agreement with the Contractor to add certain provisions required by the New York State Office for the Aging concerning equal access to services, non-discrimination and

**RESOLVED,** that the County is hereby further authorized to amend the Agreement with the Contractor to replace the Recipient Characteristics and Definitions on page 6 of Schedule A in the original Agreement with a revised Recipient Characteristics and Definitions page with updated Poverty Guidelines; and be it further

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

Account to be charged	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	85	686P	4380	T686	\$40,355.00
	N/A	N/A	N/A	N/A	N/A	\$4,484.00
Budget Funding Year(s) (must match resolution)	2014		Start Date	1/1/14	End Date	12/31/14
Funding Source	Tax Dollars		\$ _____			
	State Aid		\$ _____			
\$44,839.00 (must match resolution)	Federal		\$40,355.00			
	Other		\$4,484.00			