

40517

DATE: May 12, 2014

TO: Board of Acquisition & Contract

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

- RE:**
- 1) Request for authority to exercise an option to renew an Agreement with Family Services of Westchester, Inc. to provide Cluster Homemaker/Personal Care services for the elderly under Title III B of the Older Americans Act, for a total aggregate amount not to exceed \$50,738, for the period commencing January 1, 2014 and terminating on December 31, 2014; and
 - 2) Amend the Agreement with Family Services of Westchester, Inc. to add new 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 to delete in its entirety the 2013 the Recipient Characteristics Definitions contained in Schedule "A", page 6 of the Agreement and replacing them with the 2014 Recipient Characteristics Definitions

By resolution approved on May 30, 2013 (the "May 30th Resolution"), your Honorable Board authorized the County of Westchester (the "County"), acting by and through the Department of Senior Programs and Services (the "Department"), to enter into an agreement (the "Agreement") with Family Services of Westchester, Inc. (the "Contractor") for the purpose of providing Cluster Homemaker/Personal Care services (the "Program") for the elderly under Title III B of the Older Americans Act in an amount not to exceed \$50,738, comprised of \$45,664 in Federal funds and \$5,074 in Contractor matching funds, for the period commencing January 1, 2013 and terminating December 31, 2013 with the County having the sole option to renew the Agreement for up to five (5) additional one (1) year periods, on the same terms and conditions, subject to the prior approval of your Honorable Board. The Agreement was subsequently executed.

The County now seeks authority to exercise the first of its five (5) options to renew the Agreement with the Contractor to provide the Program Services for an amount not to exceed \$50,738, comprised of \$45,664 in Federal funds and \$5,074 in Contractor matching funds, for the period commencing January 1, 2014 and terminating December 31, 2014.

Authority is also requested to amend the Agreement with the Contractor to add new 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]). The Department also seeks authority to replace the 2013 Recipient Characteristics and Definitions on page 6 of Schedule “A” in the Agreement with the 2014 Recipient Characteristics and Definitions. Accordingly, these requirements and revisions will be added to the contract amendment in the form of Appendix “A” and Appendix “B” respectively.

The proposed amended Agreement is subject to the Federal Common Grant Rules, under which a market analysis must be conducted before a renewal option may be exercised. As a result, the Department solicited price quotes for the Program services to determine if there were other potential Contractors that could provide the Program services at a reduced cost. The Department received the following five (5) responses: Family Service Society of Yonkers, Bethel LTHHC, Grace Church Community Center, Home Health Services of WJCS and Living Life Home Care. After reviewing the quotes, the Contractor was selected for several reasons. Its rates were found to be in the range of the rates provided in the quotes; the services are provided to vulnerable, elderly clients with varying degrees of functional impairment for whom switching service providers would cause unnecessary service disruption and anxiety, and the Contractor has successfully provided the Program services over the past year. Therefore, upon analysis, the minimal price savings is offset by the potential negative impacts of changing the Contractor upon these vulnerable, elderly clients.

Except as specifically to be amended as described herein, all other terms and conditions set forth in the Agreement would remain in full force and effect.

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

MC/SJ/lc

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 is hereby authorized to exercise the first of its five (5) options to renew an agreement (the "Agreement") with Family Services of Westchester, Inc. to provide Cluster Homemaker/Personal Care services (the "Program") for the elderly under Title IIIB of the Older Americans Act for the period commencing January 1, 2014 and terminating December 31, 2014, for an amount not to exceed \$50,738, comprised of \$45,664 in Federal funds and \$5,074 in Contractor matching funds; and be it further

RESOLVED, that the County is hereby further authorized to amend the Agreement with the Contractor to add new 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; and be it further

RESOLVED, that the County is hereby further authorized to amend the Agreement with the Contractor to delete in its entirety the 2013 Recipient Characteristics Definitions contained in Schedule "A", page 6 of the Agreement and replacing them with the 2014 Recipient Characteristics Definitions ; and be it further

RESOLVED, that except as specifically amended hereby, all other terms and conditions set forth in the Agreement shall remain in full force and effect.

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
charged	263	85	686P	4830	T-686	\$45,664
N/A	N/A	N/A	N/A	N/A	N/A	\$ 5,074

Budget Funding Years 2014
(must match resolution)

Start Date 1/1/14

End Date 12/31/14

Funding Source

Tax Dollars \$0

State Aid \$0

\$50,738

(must match resolution)

Federal Aid \$45,664

Other \$5,074