

41313

DATE: July 9, 2014

TO: Board of Acquisition & Contract

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

RE: Request authority for the County to:

- a. Amend agreements (the "Agreements") with the four (4) contractors set forth in the attached Schedule "A" (the "Contractors") for the purpose of providing Information and Assistance Services for elderly Westchester County residents 60 years or older under Title III-B of the Older Americans Act for the period January 1, 2013 through December 31, 2013 with the County having the option to renew the Agreements for up to five (5) additional one-year periods, in order to exercise the first of the County's five (5) renewal options thereunder for the period January 1, 2014 through December 31, 2014 for a total aggregate amount not-to-exceed \$123,401.00, in the individual amounts set forth on the attached Schedule "A",
- b. Amend the Agreements with the Contractors to 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.

By resolution approved on August 01, 2013 (the "August 1st Resolution") your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Senior Programs & Services (the "Department") to enter into agreements (the "Agreements") with the six (6) contractors set forth in Schedule "A", attached to the August 1st Resolution for the purpose of providing Information and Assistance Services for elderly County residents 60 years or older under Title III-B of the Older Americans Act (the "Program(s)"), for a total aggregate amount not- to- exceed \$193,186.00, comprised of \$130,988.00 in Federal funds and \$62,198.00 in contractor matching funds, in the individual amounts set forth in Schedule "A" attached to the August 1st Resolution, for the period commencing January 1, 2013 and terminating December 31, 2013, with the County having the option to renew the Agreements for up to five (5) additional one-year periods. With the exception of the City of Mt. Vernon, all of the Agreements were subsequently executed. The Agreement with the City of Mount Vernon is still pending execution; therefore, a separate resolution will be submitted when the Agreement has been approved. It should be noted that the Medicare Rights Center has provided written notification that it will not renew its

Agreement with the Department. Therefore, the Department issued a RFP on May 21, 2014 with a due date of June 11, 2014 for the service and will submit a separate resolution for the services upon selection of an agency.

The County now seeks approval from your Honorable Board to amend the Agreements with the four (4) contractors set forth in the attached Schedule "A" (the "Contractors") to exercise the first of its five (5) renewal options thereunder to renew the Agreements for the purpose of providing the Program (s) services for the period commencing January 1, 2014 and terminating December 31, 2014, for a total aggregate amount not-to-exceed \$123,401.00, comprised of \$80,955.00 in Federal funds and \$42,446.00 in Contractor matching funds in the individual amounts set forth in the attached Schedule "A"

It should be noted that since the Agreements are paid for with funds subject to the Federal Common Grant Rules, 45 CFR 92.36 (f) requires grantees to perform a price or cost analysis in order to test the market before such options may be exercised. In an effort to comply with this requirement, my office contacted two (2) agencies, WJCS and the Town of Mt. Pleasant Office of the Older American ("Mt. Pleasant"), to solicit price quotations for both information and assistance services. For purposes of calculating "unit costs", the "information" component was calculated on a "per interaction" basis of approximately 15 minutes, while the "assistance" component was calculated on an initial 16 minutes or more of interaction and all subsequent interactions to address the same client issue. WJCS submitted a combined unit cost of \$24.50 (\$4.50 Information/\$20.00 Assistance), while Mt. Pleasant submitted a combined unit cost of \$14.50 (\$6.00 Information/\$8.50 Assistance). Since the County has negotiated and will pay each of the four (4) Contractors the same combined unit cost of \$18.00 (\$2.00 Information/\$16.00 Assistance) during the renewal option period, the unit costs offered by the current vendors are clearly comparable to the unit costs offered by the other 2 agencies contacted. Accordingly, based on the analysis above, I have determined that exercising the renewal options under the Agreements with the four (4) Contractors is the most economically prudent way to procure the services.

Authority is also requested to amend the Agreement with the five (5) 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 contract amendment in the form of Appendix "A".

It should be noted that the Westchester County Board of Legislators by Act No. 148 - 2013, adopted on August 12, 2013, authorized the inter-municipal Agreements with Westchester

County municipalities in connection with the Title III-B Program, including the municipalities set forth in the attached Schedule "A".

Except as specifically amended hereby, all remaining terms and conditions of the Agreements with the four (4) Contractors shall remain the same.

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

MC/SJ

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/07/2014 - JOMARY NEIRA, SECRETARY

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 with the four (4) contractors listed in the attached Schedule "A" (the "Contractors") for the provision of Information and Assistance Services for elderly Westchester County residents 60 years and older under Title III-B of the Older Americans Act (the "Program") in a total aggregate not-to-exceed amount of \$193,186.00, comprised of \$130,988.00 in Federal funds and \$62,198.00 in Contractor matching funds, for the period commencing January 1, 2013 and terminating December 31, 2013 (the "Agreements"), with the County having the option to renew the Agreements for up to five (5) additional one-year periods, subject to the prior approval of your Honorable Board, in order to exercise the first of its five (5) renewal options to renew the Agreements with the Contractors for the program period January 1, 2014 through December 31, 2014 for a total aggregate amount not-to-exceed \$123,401.00, comprised of \$80,955.00 in Federal funds and \$42,446.00 in Contractor matching funds as set forth in the attached Schedule "A"; and be it further

RESOLVED, that the County is hereby further authorized to amend the Agreements with the Contractors to add certain provisions as 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 be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreements with the Contractors 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: \$156,511.00
 First Amendment: 123,401.00
 Total: \$297,372.00

| | Fund | Dept. | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars |
|-----------------------|------|-------|--|--------------------------|------------------|-------------|
| Account to be charged | 263 | 85 | 686P | 4830 | T-686 | \$80,955.00 |
| N/A | N/A | N/A | N/A | N/A | N/A | \$42,446.00 |
| | | | | | | |

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

\$123,401.00

(must match resolution)

Federal Aid: \$80,955.00

Other: \$42,446.00

APPROVED BOARD OF ACQUISITION & CONTRACTS 08/07/2014 - JOHANNY VIEIRA, SECRETARY

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/07/2014 - JOMARY VIEIRA, SECRETARY

SCHEDULE "A"

| <u>CONTRACTOR</u> | <u>NOT TO EXCEED FEDERAL FUNDS</u> | <u>CONTRACTOR MATCH</u> | <u>COUNTY MATCH</u> | <u>GROSS</u> |
|---|--|-----------------------------|-------------------------|---------------------|
| City of New Rochelle | \$26,814.00 | \$18,634.00 | \$0.00 | \$45,448.00 |
| City of Yonkers | \$33,651.00 | \$23,385.00 | \$0.00 | \$57,036.00 |
| The LOFT: Lesbian, Gay, Bisexual & Transgender Community Center | \$16,650.00 | \$0.00 | \$0.00 | \$16,650.00 |
| Yonkers Community Action Program | \$3,840.00 | \$427 | \$0.00 | \$4,267.00 |
| TOTALS | \$80,955.00 | \$42,446.00 | \$0.00 | \$123,401.00 |

APPROVED BOARD OF ACQUISITION & CONTRACT - 00071/2014 - ROMARY VIEIRA, SECRETARY