

44333

DATE: January 20, 2015
TO: Board of Acquisition & Contract
FROM: Mae Carpenter, Commissioner
Department of Senior Programs and Services
RE: Request for authority for the County to:

- 1) exercise the second of its five (5) renewal options to renew an Inter-Agency Agreement with the Mental Health Association of Westchester, Inc. to operate the Long Term Care Ombudsman Program for the elderly under Title IIIB of the Older Americans Act, for a total amount not-to-exceed \$50,662 for the program period commencing January 1, 2015 and continuing through December 31, 2015.

By resolution approved on May 9, 2013 (the "May 9th Resolution"), your Honorable Board authorized the County of Westchester, acting by and through its Department of Senior Programs and Services (the "Department") to enter into agreements (the "Agreements") with Family Service of Westchester, Inc. ("FSW") and the Mental Health Association of Westchester, Inc. ("MHA") (the "Contractors") to operate the Long Term Care Ombudsman Program for the elderly under Title IIIB of the Older Americans Act (the "Program") for the program period commencing January 1, 2013 and continuing through December 31, 2013, for a total aggregate amount not-to-exceed \$100,662, in the individual amounts set forth in Schedule A, attached to the May 9th Resolution, 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 Agreements were subsequently executed.

Thereafter by resolution approved on April 17, 2014 (the "April 17th Resolution") your Honorable Board authorized the County to exercise the first of its five options to renew the Agreement with MHA to provide the Program services, for the period January 1, 2014 through December 31, 2014 for a total amount not-to-exceed \$50,662, comprised of \$22,000 in Federal grant funds and \$28,662 in County matching funds. The April 17th Resolution also indicated that the Department decided to only exercise its option to renew the contract with MHA and not with FSW.

The County now seeks approval to exercise the second of its five options to renew the Agreement with MHA, pursuant to which MHA will provide the Program services for the period January 1, 2015 through December 31, 2015, for a total amount not-to-exceed \$50,662, comprised of \$22,000 in Federal grant funds and \$28,662 in County matching funds.

The Agreement is 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 Ombudsman 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."

Except as specifically amended hereby, all remaining terms and conditions set forth in the Agreement, as amended, shall remain in full force and effect.

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

MC/SJ

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 exercise the second of its five (5) options to renew an agreement (the "Agreement") with the Mental Health Association of Westchester, Inc. (the "Contractor") to operate the Long Term Care Ombudsman Program for the elderly under Title IIIB of the Older Americans Act, for an amount not-to-exceed \$50,662, comprised of \$22,000 in Federal grant funds and \$28,662 in County matching funds, for the program period commencing January 1, 2015 and continuing through December 31, 2015; 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	Fund	Dept	Major Program Program & Phase Or Unit or Org	Object/ Sub Object	Trust Account	Dollars																																			
Charged	263	85	686Q	4380	T-686	\$50,662																																			
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Budget Funding Year(s) (must match resolution)</td> <td style="width: 25%; text-align: center;">2015</td> <td style="width: 25%;">Start Date</td> <td style="width: 25%; text-align: center;">1/1/15</td> <td style="width: 10%;">End Date</td> <td style="width: 10%; text-align: center;">12/31/15</td> <td></td> </tr> <tr> <td>Funding Source</td> <td>Tax Dollars</td> <td colspan="5" style="text-align: right;">\$ 28,662</td> </tr> <tr> <td></td> <td>State Aid</td> <td colspan="5" style="text-align: right;">\$ 0</td> </tr> <tr> <td>\$50,662 (must match resolution)</td> <td>Federal Aid</td> <td colspan="5" style="text-align: right;">\$ 22,000</td> </tr> <tr> <td></td> <td>Other</td> <td colspan="5" style="text-align: right;">\$ 0</td> </tr> </table>							Budget Funding Year(s) (must match resolution)	2015	Start Date	1/1/15	End Date	12/31/15		Funding Source	Tax Dollars	\$ 28,662						State Aid	\$ 0					\$50,662 (must match resolution)	Federal Aid	\$ 22,000						Other	\$ 0				
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