

51887

DATE: April 27, 2016

TO: Honorable Members of the Board of Acquisition and Contract

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

RE: Request for authority to:

1. enter into an agreement with the New York State Office for the Aging (“NYSOFA”) to accept a grant in the amount of \$312,989 for the purpose of administering and implementing the Senior Community Service Employment Program (“SCSEP”) under Title V of the Older Americans Act for the program period July 1, 2016 through June 30, 2017; and
2. a) amend an agreement with the Urban League of Westchester County, Inc. (the “Contractor”) for the provision of administration services in connection with the SCSEP, in order to exercise the County’s third renewal option and thereby extend the term of the agreement for one additional year for the program period July 1, 2016 through June 30, 2017, for an amount not-to-exceed \$298,182 in Federal funds; and

b) amend the agreement with the Urban League of Westchester County, Inc. to incorporate into the third renewal and all renewal options thereafter certain “Standard Assurances” as mandated by the New York State Office for the Aging (“NYSOFA”), including but not limited to, certain contract provisions applicable to the Program and to replace the existing list of federal and state statutes, regulations and policies in the initial Agreement with a revised list in the third renewal.

The County of Westchester (the “County”), acting by and through its Department of Senior Programs & Services (the “Department”) seeks authority from your Honorable Board to enter into an agreement with the NYSOFA to accept a grant in the amount of \$312,989 for the purpose of administering and implementing the SCSEP under Title V of the Older Americans Act for the program period July 1, 2016 through June 30, 2017.

Additionally, by resolution approved on August 15, 2013 (the “August 15th Resolution”), your Honorable Board authorized the County of Westchester (the “County”), acting by

and through the Department of Senior Programs & Services (the "Department") to, *inter alia*, enter into an agreement with the Urban League of Westchester County, Inc. (the "Urban League"), pursuant to which the Urban League was to provide administration services in connection with the SCSEP program for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget for the program period July 1, 2013 through June 30, 2014, with the Urban League contributing \$33,802 in contractor matching funds (the "Agreement"). The August 15th Resolution further provided that the County, at its sole option, could renew the Agreement for up to five (5) additional one-year periods, on the same terms and conditions as the initial term, subject to the availability of funds, acceptable past performance and the prior approval of your Honorable Board (the "Agreement"). The Agreement was subsequently executed.

Thereafter by resolution approved on August 21, 2014 (the "August 21st Resolution"), your Honorable Board authorized the County to amend its Agreement with the Urban League in order to exercise the first of its five renewal options thereunder for a term commencing on July 1, 2014 and continuing through June 30, 2015 for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget, with the Urban League contributing \$33,802 in Contractor matching funds (the "First Amendment"). The First Amendment was subsequently executed.

Thereafter by resolution approved on March 19, 2015 (the "March 19th Resolution"), your Honorable Board authorized the County to amend its Agreement with the Urban League in order to exercise the second of its five renewal options thereunder for a term commencing on July 1, 2015 and continuing through June 30, 2016 for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget, with the Urban League contributing \$33,802 in Contractor matching funds (the "Second Amendment"). The Second Amendment was subsequently executed.

The County now seeks authority to amend the Agreement with the Urban League in order to exercise the third of its five renewal options thereunder for a term commencing on July 1, 2016 and continuing through June 30, 2017 for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget, with the Urban League contributing \$33,802 in Contractor matching funds (the "Third Amendment").

In addition to exercising the third of its five renewal options with the Contractor, the County also respectfully requests authority to amend the agreement to incorporate into the third renewal and all renewal options thereafter certain "Standard Assurances" as mandated by the New York State Office for the Aging ("NYSOFA"), including but not limited to a revised list of federal and state statutes, regulations, policies and contract provisions applicable to the Program.

Since this contract is 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 an option may be exercised. In an effort to comply with this requirement, on 3/31/16 the Department sent an electronic mailing with a response due date of 4/14/16 to Goodwill Industries Workforce Development and another agency from

the Minority and Women Owned Business database that indicated employment services provision. There were no responses.

Analysis/Determination:

The SCSEP program provides community service work based training and counseling opportunities for low income persons age 55 and older who have multiple barriers to employment. The community service experience serves as a bridge to other employment opportunities that are not supported with government funds.

Taking into consideration that there were no responses from other vendors during this attempt to solicit other pricing and that the current vendor was the only proposer that responded to the 2013 Request For Proposal and has done significantly well in providing these services through prior agreements, it appears most prudent to the Department to exercise the County's option under the Agreement with the Urban League.

It should be noted that the remaining \$14,807 in federal funds will be retained by the Department for service delivery monitoring and evaluation.

During the past program year, 33 individuals were recruited and placed in subsidized employment and 7 were placed in unsubsidized employment.

I certify that my department, a.) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b.) has reviewed the Grant Terms, c.) is aware of and understands all of the Grant Terms, and d.) can and will comply with all of the Grant Terms.

Except as specifically provided hereunder, 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

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 enter into an agreement with the New York State Office for the Aging ("NYSOFA") to accept a grant in the amount of \$312,989 for the purpose of administering and implementing the Senior Community Service Employment Program ("SCSEP") under Title V of the Older Americans Act for the program period July 1, 2016 through June 30, 2017; and be it further

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an agreement with the Urban League of Westchester County, Inc. (the "Urban League"), pursuant to which the Urban League was to provide administration services in connection with the Senior Community Service Employment Program for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget for the program period July 1, 2013 through June 30, 2014, with the County having the sole option to renew the agreement for up to five (5) additional one-year periods, on the same terms and conditions as the initial term (the "Agreement"), by exercising the third of its five renewal options thereunder for a term commencing on July 1, 2016 and continuing through June 30, 2017 for an amount not-to-exceed \$298,182 to be paid pursuant to an approved budget, with the Urban League contributing \$33,802 in Contractor matching funds to the program (the "Third Amendment"); and be it further

RESOLVED, that the third renewal option and each renewal option that may be approved hereafter by this Honorable Board shall be amended to incorporate certain "Standard Assurances" as mandated by the New York State Office for the Aging ("NYSOFA"), including but not limited to a revised list of federal and state statutes, regulations, policies and contract provisions applicable to the Program; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain the same; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to implement this Resolution.

Agreement: \$ 298,182
 First Amendment: \$ 298,182
 Second Amendment: \$ 298,182
 Third Amendment: \$ 298,182
 Total: \$1,192,728

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
Credited	263	85	054R	9854	T054	\$312,989
Charged	263	85	054R	4380	T054	\$298,182
Charged	263	85	054R	various	T054	\$14,807

Budget Funding Year(s) 2016 - 2017 Start Date 7/1/16 End Date 6/30/17
 (must match resolution)

Funding Source Tax Dollars: \$0

State Aid: \$0

\$312,989 Federal Aid: \$312,989
 (must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACTS 5/26/2016 USA MRIJAJ, SECRETARY