



Robert P. Astorino  
County Executive

Department of Social Services

Kevin M. McGuire  
Commissioner

**53936**

DATE: December 12, 2016

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire  
Commissioner, Department of Social Services

SUBJECT: Authority to exercise the County's first one-year option under its agreement with Diamond, Kerbis CPA's, P.C., pursuant to which it was to audit entities that provide and propose to provide personal care services and/or consumer directed personal care services to recipients of Medicaid.

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By a resolution approved on December 3, 2015, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Diamond, Kerbis CPA's, P.C. ("Diamond Kerbis"), pursuant to which Diamond Kerbis was to provide audit services to audit entities ("Vendors") that provide and propose to provide personal care services and/or consumer directed personal care services ("PCS and/or CDPAP Services") to recipients of Medicaid (the "Audit Services"), for an amount not-to-exceed \$785,818.00, payable pursuant to an approved budget, for the period from October 1, 2015 through December 31, 2016, with the County having the sole option to extend the term of the agreement for up to three (3) one (1) year periods thereafter, for an amount not-to-exceed \$392,909.00 for services rendered during each such one (1) year period (the "Agreement"). The Agreement was subsequently executed.

The County continues to require the Audit Services. Therefore, DSS reviewed and analyzed the prices in the Agreement for the first option term in order to ensure that they are reasonable. DSS's analysis found that the prices specified in the Agreement for the first option term are reasonable, and that they are lower than those currently available in the marketplace.

Accordingly, the County respectfully requests authority from your Honorable Board to exercise its first one-year option under the Agreement and therefore amend the Agreement by,

- 1.) extending the term thereof by one (1) year, to a new termination date of December 31, 2017;
- 2.) increasing the not-to-exceed amount thereof by \$392,909.00, to a new total not-to-exceed

amount of \$1,178,727.00, to pay for the services during the first option term, and payable as specified in the Agreement for the first option term; and 3.) reflecting the fact that the County will have two (2) one (1) year options remaining under the Agreement (the "First Amendment").

Except as specifically described above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed First Amendment will serve a public purpose by providing the County with the Audit Services, which are necessary to audit current and prospective Vendors of PCS and/or CDPAP Services in 2017.

The goal and objective of the proposed First Amendment is to provide the County with the Audit Services, which are necessary to audit current and prospective Vendors of PCS and/or CDPAP Services in 2017.

The goal and objective of the proposed First Amendment is in the best interests of the County in terms of fiscal responsibility, as receiving the Audit Services in 2017 will enable the County to both analyze the expenditures of current Vendors and evaluate prospective Vendors, thereby helping to ensure that the Vendors that provide PCS and/or CDPAP Services are conducting themselves properly and are financially stable.

The goals and objectives of the proposed First Amendment will be tracked and monitored by the staff of DSS.

I respectfully recommend the adoption of the attached Resolution.

KMM/BC/bdm/nn

## RESOLUTION

Upon a communication from the Commissioner of Social Services, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to exercise its first one-year option under its agreement with Diamond, Kerbis CPA's, P.C. ("Diamond Kerbis"), pursuant to which Diamond Kerbis was to provide audit services to audit entities ("Vendors") that provide and propose to provide personal care services and/or consumer directed personal care services ("PCS and/or CDPAP Services") to recipients of Medicaid (the "Audit Services"), for an amount not-to-exceed \$785,818.00, payable pursuant to an approved budget, for the period from October 1, 2015 through December 31, 2016, with the County having the sole option to extend the term of the agreement for up to three (3) one (1) year periods thereafter, for an amount not-to-exceed \$392,909.00 for services rendered during each such one (1) year period (the "Agreement"), and therefore amend the Agreement by, 1.) extending the term thereof by one (1) year, to a new termination date of December 31, 2017; 2.) increasing the not-to-exceed amount thereof by \$392,909.00, to a new total not-to-exceed amount of \$1,178,727.00, to pay for the services during the first option term, and payable as specified in the Agreement for the first option term; and 3.) reflecting the fact that the County will have two (2) one (1) year options remaining under the Agreement; and be it further

**RESOLVED**, that except as specifically amended hereby, all terms and conditions of the Agreement shall remain in full force and effect; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

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Account to be  
Charged/Credited

	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2017	101	22	8900	5650	-----	\$392,909

Budget Funding Year(s):2017  
(must match resolution)

Start Date: 01/01/17 End Date: 12/31/17

Funding Source  
\$392,909  
(must match resolution)

Tax Dollars:  
State Aid: 50%  
Federal Aid: 50%  
Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/12/2017 - LISA MRIJAJ SECRETARY