

**70912**

**DATE:** July 25, 2019

**TO:** Board of Acquisition & Contract

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

**RE:** Request authority for the County of Westchester to:

- a. enter into a grant agreement with the New York State Office for the Aging in an amount not to exceed \$951,658 in Unmet Need State funds for the purpose of addressing various unmet needs. The agreement shall commence on April 1, 2019 and continue through March 31, 2020; and
- b. enter into agreements with twelve the (12) entities listed in the attached Schedule "A" to expand/provide the support services also set forth in Schedule "A" in an aggregate amount not to exceed \$721,658 in Unmet Need State funds. The agreements shall commence on April 1, 2019 and continue through March 31, 2020.

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The County of Westchester (the "County"), acting by and through its Department of Senior Programs and Services (the "Department"), seeks authority from your Honorable Board to enter into a grant agreement with the New York State Office for the Aging ("NYSOFA") in an amount not to exceed \$951,658 in Unmet Need State funds for the purpose of addressing various unmet needs, specifically to fund eligible services for individuals reported to NYSOFA by the Area Agency on Aging (the "AAA" also the "Department"). The agreement shall commence on April 1, 2019 and continue through March 31, 2020 (the "NYSOFA Agreement").

The County also seeks further authority from your Honorable Board to enter into agreements with each of the twelve (12) entities listed in the attached Schedule "A" to expand/provide the support services (the "Services") in an aggregate amount not to exceed \$721,658 in Unmet Need State funds as specified in Schedule "A." The agreements shall commence on April 1, 2019 and continue through March 31, 2020 (the "Agreements").

The entities providing Homemaker services as specified in Schedule "A", will be paid an aggregate amount not-to-exceed \$600,000 for actual services provided that are based on the 2019 Medicaid rate including recruitment and retention add-on, or, if no Medicaid rate has been assigned, reimbursement will be made upon the 2018 Average Hourly rate including recruitment and retention add-on for Westchester Home Care Agencies as contracted with the Department of Health. However, it should be noted that Lifting Up Westchester, Inc. will be reimbursed at the negotiated rate of \$26.00 per hour. Each respective rate shall be an all-inclusive charge for

services rendered, and the County shall not be liable for any other costs or expenses in connection with the Agreements.

The entities providing Social Adult Day services as specified in Schedule "A" will be paid an aggregate amount not to exceed \$121,658 pursuant to the rate of \$15.00 per hour, in the individual amounts also specified in Schedule "A": only the time that the client was actually present in the day care program shall be considered. The rate shall be an all-inclusive charge for services rendered, and the County shall not be liable for any other costs or expenses in connection with the Agreements.

The remaining \$230,000 in Unmet Need State funds will be used by the Department to provide case management direct services and case management program activities.

The proposed NYSOFA Agreement and the Agreements with the twelve (12) entities in the attached Schedule "A" will serve a public purpose because they provide funding that allow for the expansion of the Services to be provided.

The goal and objective of the NYSOFA Agreement are to direct funds to those Area Agencies on Aging that reported unmet needs in order to significantly reduce or eliminate any reported unmet need.

The goal and objective of the Agreements with the twelve entities are to direct funds to those entities that reported unmet needs in order to significantly reduce or eliminate any reported unmet need.

The goals and objectives of the NYSOFA Agreement and the Agreements with the twelve (12) entities are in the best interest of the County because they serve as a means of providing funding to augment services to seniors to delay or divert them from institutionalization, thereby reducing Medicaid costs to the County.

The goals and objectives of the Agreements with the twelve (12) entities will be tracked, monitored and evaluated by the Department, to ensure compliance with Federal, State and County regulations.

The NYOSFA Agreement does not constitute procurement and as such is not subject to the requirements of the Westchester County Procurement Policy.

The Agreements with the twelve (12) entities listed in the attached Schedule "A" are exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof.

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.

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

## 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") acting by and through its Department of Senior Programs and Services (the "Department") is hereby authorized to enter into a grant agreement with the New York State Office for the Aging ("NYSOFA") in an amount not to exceed \$951,658 in Unmet Need State funds for the purpose of addressing unmet needs, specifically to fund eligible support services for individuals reported to NYSOFA by the Area Agency on Aging (the "AAA" also the "Department"). The agreement shall commence on April 1, 2019 and continue through March 31, 2020 (the "NYSOFA Agreement"); and be it further

**RESOLVED** that the County is hereby authorized to enter into agreements with each of the twelve (12) entities listed in the attached Schedule "A" to expand/provide the support services (the "Services"), in an aggregate amount not to exceed \$721,658 in Unmet Need State funds as specified in Schedule "A." The Agreements shall commence on April 1, 2019 and continue through March 31, 2020 (the "Agreements"); and be it further

**RESOLVED** that the entities providing Homemaker services as specified in Schedule "A" will be paid an aggregate amount not-to-exceed \$600,000, for actual services provided that are based on the 2019 Medicaid rate including recruitment and retention add-on, or, if no Medicaid rate has been assigned, reimbursement will be made upon the 2018 Average Hourly rate including recruitment and retention add-on for Westchester Home Care Agencies as contracted with the Department of Health. However, it should be noted that Lifting Up Westchester, Inc. will be reimbursed at the negotiated rate of \$26.00 per hour. Each respective rate shall be an all-inclusive charge for services rendered, and the County shall not be liable for any other costs or expenses in connection with the Agreements; and be it further

**RESOLVED** that the entities providing Social Adult Day services as specified in Schedule "A" will be paid an aggregate amount not to exceed \$121,658 pursuant to the rate of \$15.00 per hour, in the individual amounts set forth in Schedule "A": only the time that the client was actually present in the day care program shall be considered. The rate shall be an all-inclusive charge for services rendered, and the County shall not be liable for any other costs or expenses in connection with the Agreements; and be it further

**RESOLVED**, that the Agreements with the twelve (12) entities are subject to County Appropriations; and be it further

**RESOLVED**, that the Agreements with the twelve(12) entities are also subject to the further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of the Agreements. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement with each entity or renegotiate the amount and rates approved herein. If the County subsequently offers to pay a reduced amount to the twelve (12) entities, then the entities shall have the right to terminate their respective Agreement upon reasonable prior written notice; 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 Charged/Credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
Credited	268	85	06U	9854	T1006	\$951,658
Charged	268	85	06U	4380	T1006	\$721,658

Budget Funding Year(s) Unit\_T-1006 2019 - 2020 Start Date 4/1/19 End Date 3/31/20  
 (must match resolution)

Funding Source Tax Dollars: \$0  
 State Aid: \$951,658  
\$951,658 Federal Aid: \$0

(must match resolution)

**SCHEDULE "A"**

**UNMET NEEDS PROGRAM  
April 1, 2019 – March 31, 2020**

ENITITIES	SERVICES TO BE PROVIDED	STATE FUNDING
Able Health Care Service, Inc.	Homemaker	\$600,000
Any-Time Home Care, Inc.	Homemaker	
Barksdale Home Care Services Corp.	Homemaker	
Community Care Companions, Inc.	Homemaker	
Family Service Society of Yonkers	Homemaker	
Family Services of Westchester, Inc.	Homemaker	
Home Health Services of WJCS, Inc.	Homemaker	
Lifting Up Westchester, Inc.	Homemaker	
Mrs. G's Services LLC	Homemaker	
Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services	Homemaker	
Family Services of Westchester, Inc. My Second Home	Social Adult Day Care	\$60,829
The Wartburg Home of the Evangelical Lutheran Church	Social Adult Day Care	\$60,829
<b>Total Contractual Services</b>		<b>\$721,658</b>

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/22/2019 - LISA MARIJAJ, SECRETARY