



George Latimer  
County Executive

Department of Social Services

Kevin McGuire  
Commissioner

**ID# 74146**

DATE: January 17, 2020

TO: Honorable Board of Acquisition and Contract

FROM: Kevin M. McGuire  
Commissioner

SUBJECT: Request authority for the County of Westchester to (i) amend the Resolution approved on December 10, 2010, authorizing the County to enter into agreements with vendor agencies listed therein, for the administration of Consumer Directed Personal Assistance Program (“CDPAP”) services under Title XIX of the Social Security Act and in accordance with Sections 365-f and 367-p(c) of the New York State Social Services Law, for the period beginning January 1, 2011 and continuing indefinitely unless terminated by either party upon thirty (30) days prior written notice, for a total aggregate amount not to exceed \$15,000,000.00, in order to reflect the correct legal name of a vendor agency listed therein as Azor Home Care, Inc.; (ii) amend the agreement with Azor, Inc Licensed Home Care Service Agency, in order to reflect the correct legal name of the contractor as Azor Home Care, Inc.; and (ii) consent to the assignment of the agreement to Azor Care at Home, Inc.

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By resolution approved on December 16, 2010 (“2010 Resolution”), your Honorable Board authorized the County of Westchester (“County”), acting by and through its Department of Social Services (“Department”), to enter into certain agreements with vendor agencies listed therein, for the administration of Consumer Directed Personal Assistance Program (“CDPAP”) services under Title XIX of the Social Security Act and in accordance with Sections 365-f and 367-p(c) of the New York State Social Services Law, for the period beginning January 1, 2011 and continuing indefinitely unless terminated by either party upon thirty (30) days prior written notice, for a total aggregate amount not to exceed \$15,000,000.00. Agreements with such listed vendor agencies,

including an agreement (“Agreement”) with Azor, Inc. Licensed Home Care Service Agency (“Azor”), were subsequently executed.

The 2010 Resolution was subsequently amended pursuant to certain resolutions approved by your Honorable Board on May 24, 2012, May 23, 2012, March 28, 2018, August 2, 2018 and February 21, 2019, in order to add PHC Services, Ltd., ACS Home Care LLC, A&A Staffing Health Care Serv., Caring Professionals, Inc., Preferred Home Care of New York and Marquis Home Care, respectively, to the list of agencies already approved to provide CDPAP services.

The Department has recently learned that the legal name of Azor is “Azor Home Care, Inc.” Authority is now being requested from your Honorable Board to amend the 2010 Resolution in order to correct Azor’s name in the 2010 Resolution from “Azor, Inc Licensed Home Care Service Agency” to “Azor Home Care, Inc.” (“Contractor”) to reflect its correct legal name.

Authority is also being requested from your Honorable Board to amend the Agreement in order to correct Contractor’s name in the Agreement from “Azor, Inc Licensed Home Care Service Agency” to “Azor Home Care, Inc.,” to reflect its correct legal name.

The Department has also recently learned that Contractor would like to assign all of its rights and obligations under the Agreement to Azor Care at Home, Inc., a not-for-profit corporation, organized and existing under the laws of the State of New York since 2016. Pursuant to the Agreement, the Contractor shall not delegate any duties or assign any of its rights under the Agreement without the prior written consent of the County. Authority is also being requested from your Honorable Board to consent to the assignment of the Agreement to Azor Care at Home, Inc.

Except as specifically amended hereby, all other terms and conditions set forth in the 2010 Resolution and the Agreement shall remain unchanged and in full force and effect.

Accordingly, approval of the attached resolution is respectfully requested.

KM/BP/CMC

# RESOLUTION

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

**RESOLVED**, that the resolution approved on December 16, 2010 (“2010 Resolution”), and subsequently amended on May 24, 2012, May 23, 2013, March 28, 2018, August 2, 2018 and February 21, 2019, authorizing the County of Westchester (“County”) to enter into agreements with certain vendor agencies listed therein for the administration of Consumer-Directed Personal Assistance Program (CDPAP) services under Title XIX of the Social Security Act and in accordance with Sections 365-f and 367-p(c) of the Social Services Law, for the period beginning January 1, 2011 and continuing indefinitely unless terminated by either party upon thirty (30) days prior written notice for an amount not to exceed \$15 million, pursuant to an approved budget and subject to appropriation, is hereby amended in order to correct the name of a certain listed vendor agency from “Azor, Inc Licensed Home Care Service Agency” to “Azor Home Care, Inc;” and be it further

**RESOLVED**, that the County is authorized to amend the agreement (“Agreement”) with Azor, Inc. Licensed Home Care Service Agency (“Azor”), for the administration of CDPAP services under Title XIX of the Social Security Act and in accordance with Sections 365-f and 367-p(c) of the Social Services Law, for the period beginning January 1, 2011 and continuing indefinitely unless terminated by either party upon thirty (30) days prior written notice, in order to correct the name of Azor from “Azor, Inc Licensed Home Care Service Agency” to “Azor Home Care, Inc;” and be it further

**RESOLVED**, that the County is hereby authorized to consent to the assignment of the Agreement to Azor Care at Home, Inc.; and be it further

**RESOLVED**, that except as specifically amend herein, all other terms and conditions of the 2010 Resolution and the Agreement shall remain the same; and be it further

**RESOLVED**, that the County Executive or his authorized designee is empowered to execute any document necessary to implement this resolution.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
N/A	N/A	N/A	N/A	_____	N/A
				_____	

Budget Funding Year(s): N/A  
(must match resolution)

Start Date: Upon execution

End Date: N/A

Funding Source

N/A  
(must match resolution)

Tax Dollars: N/A

State Aid: N/A

Federal Aid: N/A

Other:

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/20/2020 - LISA MRIJAJ, SECRETARY