

75760

DATE: April 1, 2020

TO: Board of Acquisition & Contract

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

RE: Request for authority for the County of Westchester to enter into an agreement with Family Services of Westchester, Inc. for the provision of Social Adult Day Care Services as Respite for Caregivers to elderly persons 60 years or older residing in Westchester County under Title III-E of the Older Americans Act, in an amount not to exceed \$18,000, for the period commencing on April 1, 2020 and continuing through December 31, 2020.

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 (the "Agreement") with Family Services of Westchester, Inc. ("Family Services") pursuant to which Family Services will provide Social Adult Day Care Services as Respite for Caregivers to elderly persons 60 years or older residing in Westchester County, in accordance with requirements of the New York State Office for the Aging's Social Adult Day Services Regulations (9NYCRR 6654.20) and Title III-E of the Older Americans Act, as amended (the "Program"). Federal funding for the Program will be in an amount not to exceed \$18,000, payable pursuant to the agreed-upon unit cost for actual services provided and data entered in New York State Office for the Aging's PeerPlace System, for the period commencing on April 1, 2020 and continuing through December 31, 2020 (the "Initial Term").

Furthermore, the County, in its sole discretion, may renew and extend the term of the Agreement for up to four (4) additional extension terms of one (1) year each (each an "Extension Term"). Each extension term will commence on January 1st of the following year. Any renewal of the Agreement by the County shall be on the same terms and conditions as the Initial Term, except that the unit cost for any extension term may vary each year based upon the separate unit cost price proposal submitted by Family Services at the time of procurement. Also, any renewal by the County shall be subject to the availability of funds, the County conducting a cost and/or price analysis, in accordance with federal law, acceptable past performance, the County obtaining all necessary legal approvals and the County determining that an extension is in the County's best interest.

The Agreement will serve a public purpose by providing supportive services to help maintain Westchester County seniors in the community and avoid premature institutionalization.

The Department's goal and objective are to provide caregivers with temporary rest and relief from caregiving responsibilities. Respite is designed to provide relief to the caregiver, while at the same time providing direct services to the care recipient. The Department is dedicated to the belief that providing services to caregivers can reduce caregiver depression, anxiety, and stress and enables them to provide care longer, thereby avoiding or delaying the need for costly institutional care and support aging in place for both the caregiver and care receiver.

The goals and objectives are in the County's best interest in terms of fiscal responsibility and public health, as these services enable seniors to remain safely in their homes and communities among friends and family and maintain a cost-effective lifestyle. The Title III-E programs aim to reduce or delay nursing home institutionalization, thereby reducing Medicaid costs for the County, State and Federal governments and improving the general well-being of Westchester County's elderly.

The services will be tracked, monitored and evaluated through monthly reporting activities and annual on-site reviews to determine if the contract performance goals and objectives are being met in a fiscally responsible and appropriately safe and successful fashion.

The Agreement is exempt from the Westchester County Procurement Policy pursuant to section 3(a) iii and 3(a) xix thereof; however, it is subject to the Federal Common Grant Rules. As such, on February 12, 2020, the Department issued a Request for Proposals ("RFP") with a due date of March 05, 2020 to solicit proposals from qualified agencies to provide the Program services. In an effort to solicit as many proposers as possible, the Department e-mailed notice of the RFP to its current contractors and, posted notice of the RFP on the County's website. In addition, the Department distributed a press release about the RFP. Also, a legal notice was placed in the Journal News on February 16, 2020. This Proposal was submitted by the Family Services. The Federal Common Grant Rules CFR 92.36 (f) also stipulates that if adequate competition is lacking or for sole source procurements, that grantees are required to conduct a cost analysis to test the market. Therefore, the Department solicited and obtained rate quotes from other potential Program providers. Based on the cost analysis, it was determined that Family Service's rate are less than the rate quotes of the other service providers.

Therefore, after carefully evaluating Family Services proposal based on the criteria set forth in the RFP, it was determined that Family Service's proposal met the required specifications and maximizes services in accordance with the budgeted amount. Furthermore, since the cost analysis conducted by the Department identified Family Services as having the lesser rate of the other service providers, we believe that it would be in the best interest of the County for your Honorable Board to award the contract to Family Services because in addition to the reasons stated above, Family Services has performed well in providing the aforementioned services through prior agreements.

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 (the "County") is hereby authorized to enter into an agreement (the "Agreement") with Family Services of Westchester, Inc. ("Family Services") pursuant to which Family Services will provide Social Adult Day Care Services as Respite for Caregivers to elderly persons 60 years or older residing in Westchester County, in accordance with requirements of the New York State Office for the Aging's Social Adult Day Services Regulations (9NYCRR 6654.20) and Title III-E of the Older Americans Act, as amended (the "Program"). Federal funding for the Program will be in an amount not to exceed \$18,000, payable pursuant to the agreed-upon unit cost for actual services provided and data entered in New York State Office for the Aging's PeerPlace System, for the period commencing on April 1, 2020 and continuing through December 31, 2020 (the "Initial Term"); and be it further

RESOLVED, that the County, in its sole discretion, may renew and extend the term of the Agreement for up to four (4) additional extension terms of one (1) year each (each an "Extension Term"). Each extension term will commence on January 1st of the following year. Any renewal of the Agreement by the County shall be on the same terms and conditions as the Initial Term, except that the unit cost for any extension term may vary each year based upon the proposals submitted by Family Services. Also, any renewal by the County shall be subject to the availability of funds, the County conducting a cost and/or price analysis, in accordance with federal law, acceptable past performance, the County obtaining all necessary legal approvals and the County determining that an extension is in the County's best interest., subject to the approval of your Honorable Board; and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED, that the Agreement is 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 this Agreement. 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 the Contractor, or to renegotiate the amounts and rates approved therein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate the 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.

Initial Agreement: \$18,000

Account to be charged	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
charged	263	85	448V	4830	T-448	\$18,000

Budget Funding Years 2020
(must match resolution)

Start Date 4/1/2020

End Date 12/31/2020

Funding Source

Tax Dollars: \$0

State Aid : \$0

\$18,000
(must match resolution)

Federal Aid: \$18,000

APPROVED BOARD OF ACQUISITION & CONTRACTS 04/30/2020 - USA MR/IAJ, SECRETARY