

81891

DATE: January 4, 2021
TO: Board of Acquisition & Contract
FROM: Mae Carpenter, Commissioner
Department of Senior Programs and Services
RE: Request authority for the County of Westchester:

- a) to enter into a grant agreement with the New York State Office for the Aging to accept a grant in an amount not-to- exceed \$194,246 in CMC2 – Family First Coronavirus Response Act (“FFCR Act”) federal emergency stimulus funds for Congregate Meals in order to expand nutrition services for older adults and other appropriate nutrition-related services (“CMC2-FFCR Act Program”), in accordance with Title III-C-1 of the Older Americans Act (“OAA”). The agreement shall commence retroactive to March 20, 2020 and continue through September 30, 2021; and
- b) to enter into an agreement with Feeding Westchester, Inc. to deliver bags of groceries/consumable supplies to older adults under the CMC2-FFCR Act Program in accordance with Title III-C-1 of the (“OAA”), in an amount not-to-exceed \$194,246 in FFCR Act federal emergency stimulus funds, payable pursuant to the agreed-upon unit cost. The agreement shall commence retroactive to March 20, 2020 and continue through September 30, 2021.

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 – Federal CFDA No. 93-045 (the “NYSOFA Agreement”) with the New York State Office for the Aging (“NYSOFA”) to accept a grant in an amount not to exceed \$194,246 in CMC2 – Family First Coronavirus Response Act (“FFCR Act”) federal emergency stimulus funds for Congregate Meals in order to expand nutrition services for older adults and other appropriate nutrition-related services (“CMC2-FFCR Act Program”), in accordance with Title III-C-1 of the Older Americans Act of 1965, as amended (“OAA”). The NYSOFA Agreement shall commence retroactive to March 20, 2020 and continue through September 30, 2021.

The County also seeks authority to enter into an agreement (the “Agreement”) with Feeding Westchester, Inc. (the “Feeding Westchester”) to deliver bags of groceries/consumable supplies to older adults under the CMC2-FFCR Act Program, in accordance with Title III-C-1 of the OAA (the “Program” or “Services”) in an amount not-to-exceed \$194,246 in FFCR Act federal emergency stimulus funds, payable pursuant to the agreed-upon unit cost. The Agreement shall commence retroactive to March 20, 2020 and continue through September 30, 2021.

The FFCR Act provides supplemental federal funding for programs authorized by the Older Americans Act of 1965. Through these programs, a network of community-based organizations, such as Area Agencies on Aging, Centers for Independent Living, senior centers, faith-based organizations, and other non-profit corporations provide a vast array of resources and services to help older adults and people with disabilities stay healthy and live independently in their communities.

The proposed NYSOFA Agreement and the Agreement with Feeding Westchester will serve a **public purpose** because they would allow for the expansion of supportive nutrition services to help meet the nutritional needs of older adults as communities implement measures to prevent the spread of the Coronavirus disease (the "COVID-19"), thus preventing malnutrition and improving their overall health.

The **goals and objectives** of the NYSOFA Agreement are to direct funds to support nutrition and nutrition related services for vulnerable older adults in order to help communities support older adults in staying healthy, safe, and independent during the COVID-19 pandemic.

The **goals and objectives** of the NYSOFA Agreement and the Agreement with Feeding Westchester are in the best interest of the County in terms of health and safety because they serve as a means to expand nutrition services to seniors, specifically those seniors who are at increased risk of isolation and malnutrition during the COVID-19 pandemic in an effort to protect such seniors against exposure to the Covid-19 and delay or divert them from institutionalization, thereby reducing Medicaid costs to the County.

The **goals and objectives** of NYSOFA Agreement and the Agreement will be tracked, monitored and evaluated by the Department's Nutrition, Health and Wellness Unit, to ensure compliance with Federal, State and County Regulations. On-site monitoring, contractor monthly report reviews and contract meal performance management will be completed by assigned nutrition staff. On-site reviews will be conducted bi-annually by nutrition staff and annually by the NYSOFA.

The NYSOFA Agreement does not constitute procurement, and as such it is not subject to the requirements of the Westchester County Procurement Policy. The Agreement with Feeding Westchester is not subject to the Federal Common Grant Rules, 45 CFR 92.36 et seq., that normally require full and open competition through the use of competitive procedures before entering into contracts unless certain exigent circumstances exist that would permit noncompetitive proposals, as set forth in 2 C.F.R. 200.320(f)(2). The COVID-19 pandemic is one such exigent circumstance that allows for noncompetitive procurement in order to expedite the distribution of these emergency relief stimulus funds to supplement and address urgent Department's program needs such as the expansion of nutrition services to seniors during the COVID-19 pandemic.

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.

MC/SJ/CMC

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 (the "NYSOFA Agreement") to accept a grant in an amount not-to-exceed \$194,246 in CMC2 – Family First Coronavirus Response Act ("FFCR Act") federal emergency stimulus funds to expand nutrition services for older adults and other appropriate nutrition-related services ("CMC2-FFCR Act Program") in accordance with Title III-C-1 of the Older Americans Act of 1965, as amended ("OAA"). The NYSOFA Agreement shall commence retroactive to March 20, 2020 and continue through September 30, 2021; and be it further

RESOLVED, that County is authorized to enter into an agreement (the "Agreement") with Feeding Westchester, Inc. (the "Feeding Westchester") to deliver bags of groceries/consumable supplies to older adults under the CMC2-FFCR Act Program, in accordance with Title III-C-1 of the OAA (the "Program" or "Services") in an amount not-to-exceed \$194,246 FFCR Act federal emergency stimulus funds, payable pursuant to the agreed-upon unit cost. The Agreement shall commence retroactive to March 20, 2020 and continue through September 30, 2021; 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	263	85	V010	9853	G010	\$194,246
Charged	263	85	V010	4830	G010	\$194,246

Budget Funding Year(s) 2020 – 2021 Start Date: 3/20/2020 End Date: 9/30/2021
(must match resolution)

Funding Source Tax Dollars: \$0

State Aid: \$0

\$194,246 Federal Aid: \$194,246

(must match resolution)