

81903

DATE: January 5, 2021
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 to accept a grant in an amount not-to-exceed \$483,465 in SSC3 - Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") federal emergency stimulus funds for Supportive Services in order to expand a range of services that help family and informal caregivers provide support for their older loved ones at home ("SSC3-CARES Act Program") in accordance with Title III-B of the Older Americans Act. The agreement is to commence retroactive to April 1, 2020 and continue through September 30, 2021; and
- b) enter into an agreement with the seven (7) entities listed in the attached Schedule "A" to provide the services detailed in Schedule "A," under the SSC3-CARES Act Program in accordance with Title III-B of the Older Americans Act, for an aggregate amount not-to-exceed \$400,153 in CARES Act federal emergency stimulus funds, payable in the individual not-to-exceed amounts also listed in Schedule "A," pursuant to the agreed-upon unit costs, with the exception of the agreements with Family Services of Westchester, Inc., for the provision of Transportation Services and with Westchester Jewish Community Services, Inc. for the provision of Activity Kits and Training, which will be payable pursuant to an approved budget. The term of the agreements shall commence retroactive to April 1, 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. 93-044 (the "NYSOFA Agreement") with the New York State Office for the Aging ("NYSOFA") to accept a grant in an amount not-to-exceed \$483,465 in SSC3 - Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") federal emergency stimulus funds under the Supportive Services program ("SSC3-CARES Act Program"), in order to expand a range of supportive services to seniors, in accordance with Title III-B of the Older Americans Act of 1965, as amended (the "OAA"). The NYSOFA Agreement shall commence retroactive to April 1, 2020 and continue through September 30, 2021.

The County also seeks further authority to enter into agreements (the "Agreements") with the seven (7) entities listed in the attached Schedule "A," to provide the services detailed in Schedule "A" SSC3-CARES Act Program, in accordance with Title III-B of the OAA (the "Program" or "Services"), for an aggregate amount not to exceed \$400,153 in CARES Act federal emergency stimulus funds, payable in the individual not-to-exceed amounts also listed in Schedule "A," pursuant to the agreed-upon unit costs, with the exception of the Agreements with Family Services of Westchester, Inc., for the provision of Transportation Services and with Westchester Jewish Community Services, Inc. for the provision of Activity Kits and Training, which will be payable pursuant to an approved budget. The term of the Agreements shall commence retroactive to April 1, 2020 and continue through September 30, 2021.

Of the remaining \$83,312 in SSC3-CARES Act grant funding, \$68,732 will be used by the Department for Area Agency Administration and \$14,580 will be used to enter into a separate inter-municipal agreement ("IMA") with the Town of Eastchester to provide In-home Contact and Support Services for seniors. It should be noted that since Local Law 6 of 2012 has now been implemented, Board of Acquisition & Contract approval for the IMA is no longer required. Therefore, the Department has submitted legislation to the Westchester County Board of Legislators seeking an approved Board Act before the County enters into the IMA with the Town of Eastchester.

The CARES Act provides supplemental federal funding for programs authorized by the Older Americans Act of 1965 and the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act of 2014. 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-profits 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 Agreements with the Contractors will serve a **public purpose** because they will allow for the expansion of services to help meet the needs of older adults as communities implement measures to prevent the spread of the Coronavirus disease (the "COVID-19"). The grant will fund various supportive services.

The **goal and objective** of the NYSOFA Agreement are to direct funds to Area Agencies on Aging to concentrate resources to develop and implement comprehensive and coordinated community-based systems of service for older individuals via statewide planning, and area planning and provision of supportive services, including multipurpose senior centers. The objective of these services and centers is to maximize the informal support provided to older Americans to enable them to remain in their homes and communities. Providing access services, in-home services, community services and other support services, this program insures that elders receive the services they need to remain healthy, safe, and independent during the COVID-19 pandemic.

The **goal and objective** of the Agreements with the Contractors are to provide various supportive services to older Americans such as access services, in-home services, community services, legal services and other support services, to enable them to remain in their homes and communities.

The **goals and objectives** of the NYSOFA Agreement and the Agreements with the Contractors are in the best interest of the County because they serve as a means of providing funding to expand services to seniors to minimize the risk of exposure to COVID-19 and delay or divert them from institutionalization, thereby reducing Medicaid costs to the County.

The NYSOFA Agreement does not constitute procurement and as such is not subject to the requirements of the Westchester County Procurement Policy. The Agreements with the Contractors are 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 proposals in order to expedite the distribution of these emergency relief stimulus funds to supplement and address urgent program needs such as the expansion of various support services to seniors in response to 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

APPROVED BOARD OF ACQUISITION & CONTRACTS 01/22/2021 - JUNE 30, 2021 SECRETARY

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 (the "NYSOFA Agreement") with the New York State Office for the Aging, to accept an amount not to exceed \$483,465 in SSC3 - Coronavirus Aid, Relief, and Economic Security Act for Supportive Services ("CARES Act") federal emergency stimulus funds to expand a range of services that help family and informal caregivers provide support for their loved ones at home under the SSC3-CARES Act program ("SSC3-CARES Act Program"), in accordance with Title III-B of the Older Americans Act (the "OAA"). The NYSOFA Agreement shall commence retroactive to April 1, 2020 and continue through September 30, 2021; and be it further

RESOLVED, that County is authorized to enter into agreements (the "Agreements") with the seven (7) entities listed in the attached Schedule "A" to provide the services detailed in Schedule "A" (the "Program" or "Services") under the SSC3-CARES Act Program, for an aggregate amount not-to-exceed \$400,153 in CARES Act federal emergency stimulus funds, payable in the individual not-to-exceed amounts listed in Schedule "A," pursuant to the agreed-upon unit costs, with the exception of the agreement with Family Services of Westchester, Inc., for the provision of Transportation Services and with Westchester Jewish Community Services, Inc. for the provision of Activity Kits and Training, which will be payable pursuant to an approved budget. The term of the Agreements shall commence retroactive to April 1, 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 | V013 | 9853 | G013 | \$483,465 |
| Charged | 263 | 85 | V013 | 4380 | V013 | \$400,153 |

Budget Funding Year(s) 2020 - 2021 Start Date 4/01/2020 End Date 9/30/2021
(must match resolution)

Funding Source Tax Dollars: \$0

State Aid: \$0

\$483,465 Federal Aid: \$483,465

(must match resolution)

SCHEDULE "A"

SSC3 - CARES ACT FOR
SUPPORTIVE SERVICES UNDER
TITLE III-B OF THE OLDER AMERICANS ACT

April 1, 2020 – September 30, 2021

| CONTRACTORS | SERVICES TO BE PROVIDED | FEDERAL FUNDING NOT-TO-EXCEED AMOUNT |
|--|--|---|
| Dorot, Inc. | Telephone Reassurance | \$61,710 |
| Family Services of Westchester, Inc. | Transportation Services: Mount Vernon Site | \$5,000 |
| | In-Home Contact and Support: Ride Connect | \$57,000 |
| | In-Home Contact and Support: Maple House | \$10,000 |
| Legal Services of the Hudson Valley | Legal Services | \$100,000 |
| Volunteer Services Bureau of Westchester, Inc. d/b/a Volunteer New York! | Intergenerational telephone reassurance; Volunteer telephone reassurance; - RSVP Volunteer Zoom Program & Public Information: Face Book page for RSVP volunteers | \$54,060 |
| Westchester Jewish Community Services Inc. | Assistance: Information and Referral | \$5,000 |
| | Case Management for Home Delivered Meals; | \$3,078 |
| | Geriatric Program Information | \$1,389 |
| | Activity Kits and Training | \$18,316 |
| Westchester Public/Private Membership Fund for Aging Services, Inc. | Public Information - Newspaper | \$75,000 |
| The Young Women's Christian Association of Yonkers | Telephone Reassurance | \$9,600 |
| Total Funding for Contractor Services | | \$400,153.00 |