

Department of Senior Programs and Services

**83257**

**DATE:** March 10, 2021

**TO:** Board of Acquisition and Contract

**FROM:** Mae Carpenter, Commissioner

Department of Senior Programs and Services

**RE:** Request for authorization for the County of Westchester (the "County") to amend its Agreement with the Legal Services of the Hudson Valley for the provision of Legal Assistance Services to Westchester County residents, 60 and over, under Title III-B of the Older Americans Act in order to exercise the second of the County's four options to extend the term of the Agreement by an additional year commencing on January 1, 2021 and continuing through December 31, 2021 in an amount not to exceed \$331,104, comprised of \$123,404 in federal funds, and \$207,700 in County tax dollars.

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By resolution approved March 21, 2019 (the "March 21<sup>st</sup> Resolution") your Honorable Board, authorized the County, acting by and through its Department of Senior Programs & Services (the "Department"), to enter into an agreement (the "Agreement") with the Legal Services of the Hudson Valley (the "Consultant"), to provide Legal Assistance Services for Westchester County residents 60 and over under Title III-B of the Older Americans Act (the "Program") in an amount not to exceed \$331,104, comprised of \$123,404 in federal funds, and \$207,700 in matching County tax dollars to be paid pursuant to the agreed upon unit cost for actual services provided and data entered in the New York State Office for the Aging's ("NYSOFA") PeerPlace System, for a term commencing on or about January 1, 2019 and continuing through December 31, 2019 (the "Initial Term") with the County having the sole option to extend the term of the Agreement for up to four (4) additional one (1) year option periods (each an "Option Term"). The Agreement was subsequently executed.

By Resolution approved on January 30, 2020 (the "January 30<sup>th</sup> Resolution") your Honorable Board authorized the County to amend the Agreement with the Consultant in order to: 1) exercise the first of the County's four options to extend the term of the Agreement for the program period, commencing on January 1, 2020 and continuing through December 31, 2020 (the "First Option Term") at the same amounts as the Initial Term; and 2) incorporate a questionnaire entitled Questionnaire Regarding Business Enterprises Owned and Controlled by Service-Disabled Veterans as required by the County for the (the "First Amendment"). The First Amendment was subsequently executed.

It should be noted that the cover memo of the January 30<sup>th</sup> Resolution incorrectly stated that the Initial Agreement was for an aggregate amount not to exceed \$341,037, comprised of \$123,404 in federal funds, and \$217,633 in matching County tax dollars. Instead the cover memo should have reflected the amounts indicated in the first paragraph of this cover memo for consistency with the Initial Term.

The County has determined that it requires the Services for the 2021 calendar year, and the Consultant has satisfactorily provided the Services under the original Agreement and the subsequent amendment. Therefore, the Department, in accordance with the applicable Federal regulations, performed a price analysis of the County's option for 2021 under the Agreement. After soliciting and analyzing current price quotes from the Department concluded that it is most economically prudent to exercise the County's second option under the Agreement in order to obtain the Services for 2021.

Accordingly, the County now seeks the authority of your Honorable Board to amend the Agreement with the Consultant in order to exercise its second option term under the Agreement to provide the Program services for a term commencing on January 1, 2021 and continuing through December 31, 2021 (the "Second Option Term") in an amount not to exceed \$331,104, comprised of \$123,404 in federal funds, and \$207,700 in County tax dollars, payable pursuant to the agreed upon unit cost for actual Services provided and data entered in NYSOFA's PeerPlace System.

Except as specifically amended as described herein, all other terms and conditions set forth in the Agreement, as previously amended, shall remain in full force and effect.

For the 2020 program year, 3,992 hours of legal services were provided to 512 seniors. It should be noted that the Consultant has previously provided the Program to the Department's satisfaction.

Your Honorable Board's approval of the attached resolution is therefore respectfully requested.

MC/SJ

## RESOLUTION

UPON A COMMUNICATION FROM MAE CARPENTER, COMMISSIONER 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 amend its agreement (the "Agreement") with Legal Services of the Hudson Valley (the "Consultant") for the provision of Legal Assistance Services for Westchester County residents 60 and over under Title III-B of the Older Americans Act (the "Program") in order to exercise the second of the County's four (4) extension terms under the Agreement for the period commencing on January 1, 2021 and continuing through December 31, 2021 (the "Second Option Term"). Funding for the Second Option Term shall be in an amount not to exceed \$331,104, comprised of \$123,404 in federal funds, and \$207,700 in matching County tax dollars to be paid pursuant to the agreed upon unit cost for actual Services provided and data entered in NYSOFA's PeerPlace System; and be it further

**RESOLVED**, that except as specifically amended hereby, all other terms and conditions set forth in the Agreement, as previously amended, shall remain in full force and effect; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

APPROVED BOARD OF ACQUISITION & CONSTRUCTION  
APPROVED BY: MAE CARPENTER, SECRETARY

Agreement: \$331,104  
 First Amendment: \$331,104  
 Second Amendment: \$331,104  
 Total: \$993,312

Account to be charged	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
charged	263	85	686W	4380	T-686	\$331,104

Budget Funding Years 2021 Start Date 1/1/2021 End Date 12/31/2021

(must match resolution) Tax Dollars: \$207,700

Funding Source State Aid: \$0

Federal Aid: \$123,404

\$331,104

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/08/2021 - LISA MIJAJ, SECRETARY