

**83295**

**DATE:** March 10, 2021

**TO:** Board of Acquisition and Contract

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

**RE:** Request for authority for the County of Westchester to amend an agreement with Family Service Society of Yonkers to provide Family Caregiver Support Services under Title III-E of the Older Americans Act, in order to exercise the third of the County's four (4) one-year renewal options thereunder to extend the term of the Agreement for the period from January 1, 2021 through December 31, 2021 in an amount not-to-exceed \$45,100 in federal funds.

By resolution approved on August 9, 2018 (the "August 9<sup>th</sup> Resolution") your Honorable Board authorized the County of Westchester (the "County") acting by and through its Department of Senior Programs and Services (the "Department"), to enter into an agreement (the "Agreement") with Family Service Society of Yonkers ("FSSY") for the purpose of providing Family Caregiver Support Services for Westchester County grandparents/relative caregivers, 55 and older of children under 18 years old in accordance with Title III-E of the Older Americans Act (the "Services" or "Program"), for the period beginning July 1, 2018 through December 31, 2018 (the "Initial Term"). Federal funding to provide the Program under the Initial Term was for an amount not to exceed \$37,822, payable based on the agreed upon unit cost for actual services provided and data entered in New York State Office for the Aging's ("NYSOFA's") PeerPlace System, which could, at the County's sole and complete discretion, include an optional increase or decrease of available funds, which would impact the not-to-exceed amount of the Agreement. The FSSY was also required to contribute \$12,607 in matching funds to the Program. The Agreement was subsequently executed.

The August 9<sup>th</sup> Resolution also stipulated that the County, in its sole discretion, could extend the term of the Agreement for up to four (4) additional one (1) year periods (each an "Option Term") on the same terms and conditions as the Initial Term, subject to the availability of funds, acceptable past performance, the County obtaining all necessary legal approvals and the County's determination that an extension is in its best interest, and subject to the prior approval of your Honorable Board. The August 9<sup>th</sup> Resolution further noted that funding could vary from year to year, and that each subsequent Option Term will begin on January 1<sup>st</sup> through December 31<sup>st</sup>.

Thereafter, by resolution approved on March 28, 2019, your Honorable Board authorized the County to amend the Agreement with the Contractor in order to exercise the first of the County's four (4) renewal options to extend the term of the Agreement for the period from January 1, 2019 and continuing through December 31, 2019 (the "First Option Term") in an amount not to exceed \$45,100 in federal funds (the "First Amendment"). The First Amendment was subsequently executed.

Thereafter, by resolution approved on April 2, 2020, your Honorable Board authorized the County to amend the Agreement with the Contractor in order to 1) exercise the second of the County's four (4) renewal options to extend the term of the Agreement for an additional one-year period beginning on January 1, 2020 and continuing through December 31, 2020 (the "Second Option Term") in an amount not to exceed \$45,100 in federal funds; and 2) to incorporate a questionnaire entitled Questionnaire Regarding Business Enterprises Owned and Controlled by Service-Disabled Veterans as required by the County (the "Second Amendment"). The Second Amendment was subsequently executed.

The County has determined that it requires the Program services for the 2021 calendar year, and the Contractor has satisfactorily provided the Program for the 2020 program period. Accordingly, authority is requested to further amend the Agreement with FSSY in order for the County to exercise the third of its four (4) one year option terms to extend the term of the Agreement from January 1, 2021 through December 31, 2021 (the "Third Option Term") in an amount not to exceed \$45,100 in federal funds (the "Third Amendment").

It should be noted that FSSY is required to contribute \$15,034 to the Program under the Third Option Term.

The proposed Agreement with the FSSY is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof. However, it is subject to the Federal Common grant rules that mandate a price analysis be conducted before the County can exercise an option to extend the Agreement. Therefore, the Department solicited price proposals from qualified agencies to determine if it could find providers to better provide the Program services at a more cost-effective rate. After a careful review of the price proposals the Department determined that the FSSY was best suited to continue providing the Program because it is the only agency that could provide all the services under one Agreement and its prices to provide the Program are within a reasonable range. Therefore, we believe that it would be in the best interest of the County for your Honorable Board to extend the term of the Agreement with the FSSY, because in addition to the aforementioned, the FSSY has ably performed the Services under the Initial Agreement.

For the 2020 program year, the Contractor provided the following units of services: 320 Assistance, 335 Information, 211 Support Groups, 85 Training, 89 Counseling, 3 Outreach and 96 Public Information.

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

Accordingly, I recommend adoption of the proposed resolution.

MC/SJ

## 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 amend its agreement (the "Agreement") with Family Service Society of Yonkers ("FSSY") to provide Family Caregiver Support Services for Westchester County grandparents/relative caregivers, 55 and older of children under 18 years old, in accordance with the applicable provisions of Title III-E of the Older Americans Act, as amended, in order to exercise the third of its four (4) one year renewal options to extend the term of the Agreement for the period beginning on January 1, 2021 and continuing through December 31, 2021 (the "Third Option Term") in an amount not to exceed \$45,100 in federal funds, payable based on the agreed upon unit cost for actual services provided and data entered in New York State Office for the Aging's ("NYSOFA's") PeerPlace System; and be it further

**RESOLVED**, that the FSSY is required to contribute \$15,034 in matching funds to the Program under the Third Option Term; 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 be, and hereby is, authorized to take such actions and execute such documents as may be necessary and appropriate to effectuate the purposes hereof.

Agreement: \$37,822  
 First Amendment: \$45,100  
 Second Amendment: \$45,100  
 Third Amendment: \$45,100  
 Total: \$173,122

Account to be charged	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	263	85	448W	4380	T448	\$45,100
Budget Funding Year(s) (must match resolution)	<u>2021</u>		Start Date	<u>1/1/2021</u>	End Date	<u>12/31/2021</u>
Funding Source	Tax Dollars		<u>\$ 0</u>			
	State Aid		<u>\$ 0</u>			
<u>\$45,100</u> (must match resolution)	Federal Aid		<u>\$45,100</u>			

APPROVED BOARD OF ACQUISITION & CONTRACTS 04/18/2021 - LISA MRIJAJ, SECRETARY