

**83788**

**DATE:** March 26, 2021

**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 renew agreements with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services and Family Services of Westchester, Inc. to provide Homemaker/Personal Care services for the elderly under Title III-B of the Older Americans Act, up to an aggregate amount not-to-exceed \$75,664, for the period from January 1, 2021 through December 31, 2021

By resolution approved on August 16, 2018 ( the "August 16<sup>th</sup> Resolution"), your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Senior Programs & Services (the "Department"), *inter alia*, to enter into agreements (the "Agreements") with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services, Community Care Companions, Inc. d/b/a Interim Healthcare of NY, and Family Services of Westchester, Inc. ("the Contractors") for the purpose of providing Homemaker/Personal Care services (the "Program") for the elderly under Title III-B of the Older Americans Act, payable at the agreed upon unit cost for actual services provided, up to an aggregate amount not to exceed \$75,664 for the period commencing on June 1, 2018 and terminating on December 31, 2018. The Agreements with the Contractors were subsequently executed.

The August 16<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 agreement, subject to the availability of funds, acceptable past performance, and the County obtaining all necessary legal approvals, noting that funding may vary from year to year, in which case the County reserves the right to adjust the above-referenced not-to-exceed aggregate amount, with the unit cost for each extension period, increased above the initial agreement as agreed upon by the County and the Contractor in order to allow for subsequent minimum wage increases, and that subsequent extension periods will be for the program period commencing on January 1<sup>st</sup> and terminating on December 31<sup>st</sup> subject to approval of your Honorable Board.

Thereafter, by resolution approved on March 21, 2019, your Honorable Board authorized the County to amend the Agreements with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services and Family Services of Westchester, Inc. in order to exercise the first of the County's four (4) additional one (1) year options to renew and extend the term of the Agreements to provide the Program for the period commencing on January 1, 2019 through December 31 2019 (the "First Option Term"), at the same aggregate not to exceed amount as the initial Agreements (the "First Amendments"). The First Amendments were subsequently executed.

Thereafter, by resolution approved on February 20, 2020, your Honorable Board authorized the County to amend the Agreements with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services and Family Services of Westchester, Inc. in order to: 1) exercise the second of the County's four (4) additional one (1) year options to renew and extend the term of the Agreements to provide the Program for the period commencing on January 1, 2020 through December 31, 2020 (the "Second Option Term"), at the same aggregate not to exceed amount as the initial Agreements (the "Second Amendments") and subsequent Option Terms; 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 Amendments were subsequently executed.

The County has determined that it requires the Programs for the 2021 Program year. Therefore the County now seeks the approval of your Honorable Board to amend the Agreements with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services and Family Services of Westchester, Inc. in order to exercise the third of the County's four (4) additional one (1) year options to renew and extend the term of the Agreements to provide the Program for the period commencing on January 1, 2021 through December 31, 2021 (the "Third Option Term"), at the same aggregate not to exceed amount as the initial Agreements, and subsequent Option Terms (the "Third Amendments").

The Agreements with the Contractors are exempt from the Westchester County Procurement Policy pursuant to section 3(a) xix thereof. However, they are subject to the Federal Common Grant Rules that requires a market analysis to be conducted before exercising a renewal option. As such, the Department solicited rates from four (4) qualified agencies to provide the Program services. The Department determined that a Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services Staffing Health Care Services, has a lower rate than the four agencies solicited, and that Family Services of Westchester, Inc. has a lower rate than one of the four agencies that were solicited and a slightly higher rate than three of the agencies that were solicited. Furthermore, since the current Contractors provide comparable hourly rates with only a slightly higher difference in some instances, and taking into consideration that the services are provided to elderly vulnerable clients with varying degrees of functional impairment for whom switching service providers would cause unnecessary service disruption and anxiety, it appears to the Department to be most prudent to exercise the County's option under the current Agreements for these services from the current Contractors for 2021.

Therefore, we believe it would be in the best interests of the County for your Honorable Board to award the contract to the Contractors, because, in addition to the reasons stated above, they have ably provided these services to County residents over the years.

For the 2020 Program year, 1939 Homemaker/Personal Care service units were provided to 8 seniors.

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.

Accordingly, approval of the attached resolution is most respectfully recommended.

MC/SJ/

**RESOLUTION**

UPON A COMMUNICATION FROM MAE CARPENTER, 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 agreements (the "Agreements") with Richard L. Aronson, Inc. d/b/a A&A Staffing Health Care Services and Family Services of Westchester, Inc., in order to exercise the third of its (4) four options to renew the Agreements for the provision of Homemaker/Personal Care services for the elderly under Title III-B of the Older Americans Act for the period commencing on January 1, 2021 and continuing through December 31, 2021, payable at the agreed-upon unit costs for actual services provided, up to an aggregate amount not to exceed \$75,664; and be it further

**RESOLVED**, that except as specifically amended hereby, all other terms and conditions set forth in the Agreements, 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: \$75,664  
 First Amendment: \$75,664  
 Second Amendment: \$75,664  
 Third Amendment: \$75,664  
 Total: \$302,656

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	\$75,664

Budget Funding Years 2021  
 (must match resolution)

Start Date 1/1/2021

End Date 12/31/2021

Funding Source

Tax Dollars \$ 0

\$75,664  
 (must match resolution)

State Aid \$ 0

Federal Aid \$75,664