

**93754**

**DATE:** June 3, 2022

**TO:** Board of Acquisition & Contract

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

**RE:** Authority for the County of Westchester to enter into an agreement with The Wartburg Home of the Evangelical Lutheran Church to provide social adult day services to persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations under the Expanded In-Home Services for the Elderly Program for the period commencing on April 1, 2022 and terminating March 31, 2023, in an aggregate amount not-to-exceed \$240,000, comprised of \$180,000 in State funds and \$60,000 in County tax dollars.

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The County of Westchester (the "County"), acting by and through its Department of Senior Programs & Services (the "Department"), seeks the authority of your Honorable Board to enter into an Agreement (the "Agreement") with The Wartburg Home of the Evangelical Lutheran Church (the "Contractor") for the purpose of providing social adult day services to persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations (the "Program"), in accordance with the Expanded In-Home Services for the Elderly Program ("EISEP") for a term commencing on April 1, 2022 and continuing through March 31, 2023.

In consideration for services rendered, the County shall pay the Contractor an aggregate amount not-to exceed \$240,000, comprised of \$180,000 in State funds and \$60,000 in County tax dollars, payable at the rate of \$15.00 per hour, except that if transportation is included as part of the service, that only the first hour will be charged at the rate of \$75.00 per hour with any subsequent hour payable pursuant to the \$15.00 per hour rate, noting that only the time that the client was actually present in the day care program shall be considered. This fee shall be an all-inclusive charge for actual services rendered and the County shall not be liable for any other costs or expenses related to the Agreement.

The proposed Agreement will serve a public purpose by providing supportive services to help maintain Westchester County seniors in the community and avoid premature institutionalization. These funds help provide the support that enables these caregivers to continue to provide the assistance the elderly need to help them remain in the community and out of more expensive and less desired nursing home environments.

The goals and objectives of the Program are to provide caregivers of seniors with respite from their caregiving responsibilities which would allow more seniors to remain at home, thus preventing institutionalization.

The goals and objectives of the Program are in the best interests of Westchester County in terms of fiscal responsibility because they effectively allow seniors to remain at home, thus preventing costly institutionalization.

The goals and objectives of the Program will be tracked and monitored on an on- going basis through monthly reports and an annual on-site visit by Department staff.

The Agreement with the Contractor is exempt from the Westchester County Procurement Policy pursuant to Section 3(a) xix thereof.

Accordingly, I recommend adoption of the proposed resolution

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/30/2022 - RAYMOND SCUKKY, SECRETARY

## RESOLUTION

UPON A 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 an Agreement (the "Agreement") with The Wartburg Home of the Evangelical Lutheran Church (the "Contractor") for the purpose of providing social adult day services to persons 60 years or older, residing in Westchester County, who are isolated because of physical and/or cognitive limitations (the "Program"), in accordance with the Expanded In-Home Services for the Elderly Program ("EISEP"), for a term commencing on April 1, 2022 and continuing through March 31, 2023; and be it further

**RESOLVED**, that in consideration for services rendered, the County shall pay the Contractor an aggregate amount not to exceed \$240,000, comprised of \$180,000 in State funds and \$60,000 in County tax dollars, payable at the rate of \$15.00 per hour, except that if transportation is included as part of the service that only the first hour will be charged at the rate of \$75.00 per hour, with any subsequent hour payable pursuant to the \$15.00 per hour rate, noting that only the time that the client was actually present in the day care program shall be considered. This fee shall be an all-inclusive charge for actual services rendered and the County shall not be liable for any other costs or expenses related to the Agreement; and be it further

**RESOLVED**, that the Agreement is subject to County Appropriations; and be it further

**RESOLVED**, that the Agreement is also subject to the further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amount and rate approved therein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate the Agreement upon reasonable prior written notice; 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.

