



George Latimer
County Executive

Department of Social Services

Leonard G. Townes
Commissioner

94004

DATE: June 9, 2022

TO: Board of Acquisition and Contract

FROM: Leonard G. Townes
Commissioner, Department of Social Services

SUBJECT: Authority to exercise the County's first one-year option under its agreement with Family Service Society of Yonkers for services to operate and manage a representative payee program, and thereby extend the term of the agreement to a new expiration date of June 30, 2023.

By a resolution approved on June 3, 2021, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement (the "Agreement") with the Family Service Society of Yonkers ("FSSY"), pursuant to which FSSY was to operate and manage a representative payee program (the "Services") for up to 300 people with disabilities being served by the Adult Protective Services unit of the Department of Social Services ("DSS") or by the County's Department of Community Mental Health (the "Target Population"), for an amount not-to-exceed \$210,000.00, payable at a specified per-client-per-month rate, for the period from July 1, 2021 through June 30, 2022 (the "Initial Term"), with the County having the sole option to extend the term of the Agreement for up to five (5) additional one (1) year periods thereafter on the same terms and conditions as the Initial Term, except for different per-client-per-month rates and not-to-exceed amounts as specified in the Agreement. The Agreement was subsequently executed.

The County continues to require the Services. Therefore, DSS reviewed and analyzed the price for the first option under the Agreement, in order to ensure that it is reasonable.

As part of its analysis of the cost rate for the first option, DSS reviewed information published by the Social Security Administration ("SSA"). Specifically, the

SSA advises on its website that the law applicable to the Services permits the collection from each client of a monthly fee for expenses incurred in providing the Services. For 2022, that allowable fee is \$48 per month for some persons and \$89.00 per month for others who meet the certain, applicable SSA criteria, as do a portion of the individuals in the Target Population. The first option under the Agreement provides that FSSY would be paid at a rate of \$77.77 per client per month. Accordingly, based upon these rates, the SSA apparently believes that the value of the Services for the Target Population is generally in line with the pricing available under the first option. DSS believes that the high-cost nature of Westchester County, as compared to other areas in the United States, and the high-end disability of a portion of the Target Population, together, sufficiently explain and justify the \$77.77 per-client-per-month rate provided for under the first option, both in general and as specifically compared against the rates allowed by the SSA.

Also as part of its analysis of the price for the first option, DSS investigated the marketplace and obtained a quote from three (3) other entities that can provide the Services for people who have mental health issues that are as serious as those in the Target Population. The first entity offered a per-client-per-month rate that is 136% more than what is provided for under the first option. The second entity offered a per-client-per-month rate that is approximately 28% less than what is provided for under the first option, but for that quoted rate the entity does not offer the necessary face-to-face contact with clients; makes rental payments on different timing than is required by the County; and does not have relationships with relevant community resources, as is required. The third entity charges the SSA-authorized rates mentioned above—which would make some of its per-client-per-month rates above, and some of its per-client-per-month rates below, what is provided for under the first option—but, due to its geographic location, it is unable to offer the necessary face-to-face contact with clients.

Taking all of the foregoing into consideration, DSS's analysis has determined that the rate specified in the Agreement for the first option is reasonable.

Therefore, the County respectfully requests authority from your Honorable Board to exercise its first one-year option under the Agreement and therefore amend the Agreement by, 1.) extending its term by one (1) year, to a new termination date of June 30, 2023; 2.) increasing its not-to-exceed amount by \$279,972.00, to a new total not-to-exceed amount of \$489,972.00, to pay for the services during the first Option Term, and payable as specified in the Agreement for the first Option Term; and 3.) reflecting the fact that the County will have four (4) remaining one (1) year options (the "First Amendment").

Except as specifically described above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed First Amendment will serve a public purpose by enabling the County to provide, for an additional year, financial management assistance to persons who are unable to manage their own finances, and thereby assist in improving their

quality of life.

The goal and objective of the proposed First Amendment is to enable the County to provide, for an additional year, financial management assistance to persons who are unable to manage their own finances, and thereby assist in improving their quality of life.

The goal and objective of the proposed First Amendment is in the best interests of the County in terms of health and welfare, as persons will, for an additional year, have an improved quality of life as a result of receiving assistance in managing their finances.

The goal and objective of the proposed First Amendment will be tracked and monitored by the staff of DSS.

I respectfully recommend the adoption of the attached resolution.

LGT/KM/bdm/nn

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

RESOLUTION

Upon a communication from the Commissioner of Social Services, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to exercise its first one-year option under its agreement with the Family Service Society of Yonkers ("FSSY"), pursuant to which FSSY was to operate and manage a representative payee program for up to 300 people with disabilities being served by the Adult Protective Services unit of the Department of Social Services or by the County's Department of Community Mental Health, for an amount not-to-exceed \$210,000.00, payable at a specified per-client-per-month rate, for the period from July 1, 2021 through June 30, 2022 (the "Initial Term"), with the County having the sole option to extend the term of the Agreement for up to five (5) additional one (1) year periods thereafter on the same terms and conditions as the Initial Term, except for the different per-client-per-month rates and not-to-exceed amounts specified below for those additional periods (each an "Option Term"):

<u>Option Term</u>	<u>Per-Client-Per-Month Rate</u>	<u>Not-To-Exceed Amount</u>
First Option Term (7/1/22 – 6/30/23):	\$77.77 per-client-per-month	\$279,972.00
Second Option Term (7/1/23 – 6/30/24):	\$78.55 per-client-per-month	\$282,780.00
Third Option Term (7/1/24 – 6/30/25):	\$79.34 per-client-per-month	\$285,624.00
Fourth Option Term (7/1/25 – 6/30/26):	\$80.13 per-client-per-month	\$288,468.00
Fifth Option Term (7/1/26 – 6/30/27):	\$80.93 per-client-per-month	\$291,348.00

(the "Agreement"), and therefore amend the Agreement by, 1.) extending its term by one (1) year, to a new termination date of June 30, 2023; 2.) increasing its not-to-exceed amount by \$279,972.00, to a new total not-to-exceed amount of \$489,972.00, to pay for the services during the first Option Term, and payable as specified in the Agreement for the first Option Term; and 3.) reflecting the fact that the County will have four (4) remaining one (1) year options; and be it further

RESOLVED, that except as specifically hereby authorized to be amended, all terms and conditions of the Agreement 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 execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this resolution.

Account to be Charged/Credited

Year	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
2022	101	22	8900	5960		\$139,986
2023	101	22	8900	5960		\$139,986

Budget Funding Year(s): 2022-2023 Start Date: 07/01/22 End Date: 06/30/23
 (must match resolution)

Funding Source: \$279,972.00
 (must match resolution)

Tax Dollars: 29%
 State Aid: 45%
 Federal Aid: 26%
 Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/30/2022 - RAYMOND S. JULKY, SECRETARY