

111812

DATE: August 27, 2025

TO: Board of Acquisition and Contract

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

RE: Authority to amend an agreement with Legal Services of the Hudson Valley, for the provision of legal assistance services to County residents, 60 years and older, in order to exercise the first (1st) of the County's four (4) one (1) year renewal options thereunder to extend the term of the agreement one (1) year for the period commencing retroactively from January 1, 2025 and continuing through December 31, 2025 in an amount not-to-exceed \$388,936.00, comprised of \$123,404 in federal funds and \$265,532 in County tax dollars.

By resolution approved on March 7, 2024 (the "March 7th Resolution"), your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Senior Programs & Services (the "Department"), to enter into an agreement (the "Agreement") with Legal Services of the Hudson Valley ("LSHV"), for the provision of legal assistance services for County residents, 60 years and older (the "Services"), under Title III-B of the Older Americans Act (the "Program"), for the period from January 1, 2024 through December 31, 2024 (the "Initial Term"), for an amount not to exceed \$388,936.00 comprised of \$123,404 in federal funds and \$265,532 of County tax dollars. The March 7th Resolution further authorized the County, at its sole option, to extend the term of the Agreement for up to four (4) additional one (1) year periods thereafter, on the same terms and conditions as the Initial Term, except for the not-to-exceed amounts, which remained undetermined for each subsequent extension term. The Agreement was subsequently executed.

The County through the Department has determined that it would like to further extend the term of the Agreement for the 2025 Program period.

Accordingly, authority is now respectfully requested from your Honorable Board to amend the Agreement in order to exercise the first (1st) of the County's four (4) one (1) year renewal options under the Agreement to provide the Services for the Program period commencing retroactively from January 1, 2025 and continuing through December 31, 2025 in an amount not-to-exceed \$388,936.00, comprised of \$123,404 in federal funds and \$265,532 of County tax dollars (the "First Amendment").

Legal assistance services shall include, without limitation, representation, consultation, advocacy, referrals, legal appeals, assistance with public benefits and entitlements applications,

housing matters, consumer problems, long term care problems, family court, advance directives, social security, and such other legal services as may become necessary. LSHV will also provide public awareness campaigns to educate seniors about matters related to their rights and will provide other services such as safety planning and referral for shelter, counseling, etc., as appropriate, to support the safety and autonomy of its clients. Additionally, LSHV will reimburse transportation expenses for clients who travel to the office by taxi when alternative home visits are not feasible.

In accordance with Section 6 of the Westchester County Procurement Policy and Procedures, and in accordance with the 2 CFR Part 200 of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the “Federal Procurement Regulations”), the Department issued a Request for Proposals (“RFP”) on November 21, 2023 to invite qualified agencies to submit proposals to provide the Services to County residents, 60 years or older. Despite its best efforts, only one (1) proposal was received in response to the RFP, which was submitted by LSHV. In furtherance of the Federal Procurement Regulations, which mandate that a market/price analysis be conducted before the County can exercise an option to extend the Agreement, the Department contacted three (3) additional agencies for the provision of the Services, and all three (3) responded with hourly rate price proposals. After careful consideration, LSHV was selected to provide the Services because, based on the criteria set forth in the RFP, the Department determined that LSHV’s proposal met the required specifications and facilitated the acquisition of the Services of maximum quality at the lowest possible cost under the circumstances.

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 providing legal assistance for civil matters for County residents, 60 years and older.

The goals and objectives of the proposed First Amendment are to provide access to legal services and to further the legal rights of the elderly through the skillful and innovative use of the law.

The goals and objectives of the proposed First Amendment are in the County’s best interests in terms of public safety and economic security in that the Services allow for discussions with seniors concerning civil legal services, as well as assistance to County seniors, 60 years and older, who are experiencing abuse and financial exploitation.

The goals and objectives of the proposed First Amendment will be tracked, monitored and evaluated through monthly reporting activities and annual on-site reviews to determine if the Agreement’s performance goals and objectives are being met in a fiscally responsible and appropriately safe fashion. NYSOFA shall monitor and evaluate if the Department is meeting its requirements to conduct proper oversight on an annual basis. Additionally, client satisfaction will be monitored through the use of surveys.

Accordingly, I respectfully recommend your Honorable Board’s approval of the attached Resolution.

MC/BL/ran

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 the Legal Services of the Hudson Valley (“LSHV”), for the provision of legal assistance services for County residents, 60 years and older (the “Services”), under Title III-B of the Older Americans Act (the “Program”), in order to exercise the first (1st) of the County’s four (4) one (1) year renewal options to extend the term of the Agreement for the Program period commencing retroactively from January 1, 2025 and continuing through December 31, 2025 upon the same terms and conditions in the Agreement for the not-to-exceed amount of \$388,936.00 comprised of \$123,404 in federal funds and \$265,532 in County tax dollars payable based upon an approved unit cost budget; and be it further

RESOLVED, that except as specifically hereby authorized to be amended, all other terms and conditions of the Agreement shall remain in full force and effect, and be it further

RESOLVED, that the Agreement with LSHV is subject to County appropriations; and be it further

RESOLVED, that the Agreement with LSHV 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 with LSHV or renegotiate the amounts and rates approved therein. If the County subsequently offers to pay a reduced amount to LSHV, then LSHV 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 is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Agreement: \$388,936.00
First Amendment: \$388,936.00
New Total NTE: \$777,872.00

Account to be charged:	Fund	Dept.	Major Program, Program & Phase or Unit	Sub-Unit	Object/Sub Object	Trust Account	Dollars
Title III-B	263	85	A686	GRNT	4380	T686	\$388,936.00

Budget Funding Year/s 2025
(must match resolution)

Start Date: 1/1/2025

End Date: 12/31/2025

County Tax Dollars: \$265,532

Funding Source
\$388,936

(must match resolution)

State Aid: \$0

Federal Aid: \$123,404