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ABBREVIATED CONSENT CALENDAR FORMAT

Memorandum Date: December 2, 2008
Order Date: January 7, 2009

TO: Board of County Commissioners

DEPARTMENT: Health & Human Services

PRESENTED BY: Rob Rockstroh

AGENDA ITEM TITLE: ORDER _____ /IN THE MATTER OF AWARDING A CONTRACT AMENDMENT TO SUPPORTED EMPLOYMENT SERVICES IN THE AMOUNT OF \$44,112 FOR SERVICES TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES FOR THE TIME PERIOD FROM NOVEMBER 13, 2008 THROUGH JUNE 30, 2009.

I. MOTION

In the Matter of Awarding a Contract Amendment to Supported Employment Services in the Amount of \$44,112 for Services to Individuals with Developmental Disabilities for the Time Period from November 13, 2008 through June 30, 2009.

II. DISCUSSION

A. Background / Analysis

On June 27, 2007, the board awarded two-year contracts to several agencies to provide services to individuals with developmental disabilities. The funding for the services came to Lane County from the Oregon Department of Human Services (DHS) Financial Assistance Award (FAA). Among the contracts awarded was one to Supported Employment Services in the amount of \$173,484 for service from July 1, 2007 through June 30, 2009 (board order #07-6-27-3).

Contract awards to providers of services for individuals with developmental disabilities have been exempted from competitive selection per Lane Manual 20.100(1). Rather, the DHS Disability Services Division sets the service rates based upon the needs of the individuals and the individuals select their service providers.

Contracts are developed by Lane County with service providers to detail service requirements; pay for certain services; and, authorize a maximum service spending limitation for other services. The county contract sets the service provider spending limitation for three services – Residential Facilities, Supported Living Services, Employment & Alternative Services – and the state makes payment to the agency service provider through the EXPRS Payment System. Thus the county is the gate keeper to the payment system.

The state increases the Financial Assistance Award (FAA) and also correspondingly adjusts the Service Element Prior Authorization (SEPA) after review and acceptance of a county generated change on behalf of the specific individual with developmental disabilities. Therefore, the contracts must be revised to reflect changes made to individuals' funded service array.

The annual funding changes for most agency service providers fit within the Lane Manual Rule 21.147(3). This rule allows an increase of up to 25 percent of the original contracted amount to be authorized by the county administrator as delegated by the board. However, in the case of the Supported Employment Services agency, individuals newly added to their client list brought service funding with them that increased the funding beyond the 25 percent limitation.

The total funds are available and include changes to reflect the updated client service array for the remainder of this fiscal year ending June 30, 2009. The amount of the subcontract amendment with Supported Employment Services for this period is \$44,112. The contract was increased previously within the 25 percent limitation and consequently this funding increase exceeds 25% of the original delegated amount. Therefore, the Board must act to award the contract amendment and authorize the county administrator to sign it.

Recommendation

To approve the motion stated above.

III. ATTACHMENTS

Board Order

THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDER:) IN THE MATTER OF AWARDING A CONTRACT AMENDMENT
) TO SUPPORTED EMPLOYMENT SERVICES IN THE AMOUNT
) OF \$44,112 FOR SERVICES TO INDIVIDUALS WITH
) DEVELOPMENTAL DISABILITIES OR THE TIME PERIOD
) FROM NOVEMBER 13, 2008 THROUGH JUNE 30, 2009.

WHEREAS, Lane County is charged by the state Department of Human Services (DHS) with developing a Community Mental Health Plan; and

WHEREAS, support services for individuals with developmental disabilities are a part of that plan; and

WHEREAS, Lane County has received Amendment #57 to our County Financial Aid Agreement with DHS that funds the community mental health services (including Developmental Disability Services) identified in the plan; and,

WHEREAS, the funding in Amendment #57 is used to support services for individuals with developmental disabilities; and

WHEREAS, DHS has instructed Lane County to increase the Service Element Prior Authorization to reflect availability of funding for a portion of the services for which the Department makes payment; and,

WHEREAS, Lane Manual Chapter 21 sets forth policy regarding award of contracts for services and policy regarding signatory authority of the County Administrator; and

WHEREAS, award of funding to support services for individuals with developmental disabilities are exempt from the competitive selection process; and

WHEREAS, appropriation of funds to support FY 08/09 Supported Living services is unnecessary since the funding is paid by the state Express System and does not come through the county budget; and

WHEREAS, the \$44,112 to be awarded to Supported Employment Services exceeds the signatory authority of the County Administrator;

NOW THEREFORE, IT IS HEREBY ORDERED, that the Board of County Commissioners award a subcontract amendment in the amount of \$44,112 to be awarded to Supported Employment Services for the period from November 13, 2008 through June 30, 2009; and,

IT IS FURTHER ORDERED, that the Board of County Commissioners authorize the County Administrator to sign the subcontract amendment for the period from November 13, 2008 through June 30, 2009 with Supported Employment Services in the amount of \$44,112.

DATED this 7th day of January, 2009.

Faye Stewart, Chair
Lane County Board Of Commissioner

APPROVED AS TO FORM

Date 12/15/08 lane county

J. J. Law

OFFICE OF LEGAL COUNSEL