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**ABBREVIATED CONSENT CALENDAR FORMAT**

Memorandum Date: October 1, 2008  
Order Date: October 21, 2008

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**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 ALVORD TAYLOR IN THE AMOUNT OF \$1,547,012 AND TO DUNGARVIN IN THE AMOUNT OF \$1,839,064 FOR SERVICES TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES FOR THE TIME PERIOD FROM JULY 1, 2007 THROUGH JUNE 30, 2009.

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**I. MOTION**

In the Matter of Awarding a Contract Amendment to Alvord Taylor in the Amount of \$1,547,012 and to Dungarvin in the Amount of \$1,839,064 for Services to Individuals with Developmental Disabilities for the Time Period from July 1, 2007 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 Alvord Taylor, in the amount of \$4,680,787 for service from July 1, 2007 through June 30, 2009, and one to Dungarvin, in the amount of \$2,675,975 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 these two service provider agencies, 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 24-month service program period of July 1, 2007. The amount of the subcontract amendment with Alvord Taylor for the two-year period is \$1,547, 012. The amount of the subcontract amendment with Dunganvin for the two-year period is \$1,839,064. These amendments add funding which exceeds 25% of the original delegated amount. Therefore, the Board must act to award the contract amendments and authorize the county administrator to sign them.

### **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 ALVORD TAYLOR IN THE AMOUNT OF \$1,547,012 AND  
                          ) TO DUNGARVIN IN THE AMOUNT OF \$1,839,064 FOR  
                          ) SERVICES TO INDIVIDUALS WITH DEVELOPMENTAL  
                          ) DISABILITIES OR THE TIME PERIOD FROM JULY 1, 2007  
                          ) THROUGH JUNE 30, 2008.

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 #28 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 #28 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 services was done in the adoption to the 2008-09 budget; and

WHEREAS, the \$1,547,012 to be awarded to Alvord Taylor and the \$1,839,064 to be awarded to Dungarvin 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 \$1,547,012 to be awarded to Alvord Taylor and \$1,839,064 to be awarded to Dungarvin for the period from July 1, 2007 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 July 1, 2007 through June 30, 2009 with Alvord Taylor in the amount of \$1,839,064 and Dungarvin in the amount of \$1,839,064.

DATED this 21st day of October, 2008.

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Faye Stewart, Chair  
Lane County Board Of Commissioner

APPROVED AS TO FORM

Date 10/6/08 lane county

Haidlaw  
OFFICE OF LEGAL COUNSEL