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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 91 LCM-95

Date: May 24, 1991

Division: Information
Technology
Management

TO: Local District Commissioners

SUBJECT: Service Agreements and Service Agreement Amendments

ATTACHMENTS: Attachments are Included
Attachment I. - Service Agreement Checklist
Attachment II. - Service Agreement Amendment Checklist

A number of Local Districts have either had difficulty or have been reluctant to submit their Service Agreement by October 1 prior to the year for which it is effective because their budget had not completed the county approval process. Because a number of Service Agreements continue being submitted beyond the October 1 due date and because many of the initial submissions are incomplete and therefore not approvable, the following changes are being made to the process and requirements. To comply with State and Federal prior approval requirements and to provide for a more timely and complete submission and review process for Service Agreements while giving Local Districts the time to clear their internal processes, the due dates for Service Agreements and Amendments to Service Agreements are being revised. In addition, Standard Clause G of the Service Agreement has been revised to reflect a change in the General Municipal Law reference.

A. Revised Service Agreement Performance Standards

1. Service Agreements are due at NYSDSS on or before December 31 of each year for the following year. (The previous standards specified in 89 LCM-174 which were issued September 25, 1989 required that all Service Agreements be submitted to NYSDSS on or before October 1 of the year for the following year and that submissions not received by December 31 of the year in which it was to be effective will not be considered.) All required documentation must be provided at the time of submission. (See Attachment A - Service Agreement Checklist.) An incomplete submission of a Service Agreement will not be accepted.

2. If the deadline cannot be met, the Local District Commissioner can submit a written request prior to the December 31 deadline to the Bureau of Systems Review, Local District Proposal Review Section for an extension. The reason(s) for the delay must be fully detailed and a revised date proposed. The merits of each request will be considered when making a determination. The local district will be contacted when a decision has been made and when appropriate, a reasonable revised deadline will be determined. No deadline for the submission of Service Agreement will be extended beyond April 1 of the year in which it would be effective.
3. An approved Service Agreement must be in place by December 31 of the year in which it was to be effective (i.e., December 31, 1991 for the 1991 Service Agreement). Adequate lead time for a thorough review by NYSDSS must be provided when considering a revised deadline. A retroactive approval will not be considered even if the Local District eventually submits an otherwise approvable Service Agreement for that year.
4. NYSDSS will complete its analysis and approval activities within 90 days of receipt of a complete and acceptable Service Agreement from the LSSD.
5. The Job Accounting Summary Sheet (JASS) submitted must either be a hardcopy or electronic version of the form specified in 90 LCM-147 (a computer generated facsimile is acceptable).

B. Service Agreement Amendment Performance Standards

1. Amendments to Service Agreements must be submitted to NYSDSS by July 1 following the year to which it applies (i.e., July 1, 1991 for the 1990 Service Agreement). All required documentation must be provided at the time of submission. (See Attachment B - Service Agreement Amendment Checklist.) An incomplete submission of a Service Agreement Amendment will not be accepted.
2. If the deadline cannot be met, the local district commissioner can submit a written request prior to the July 1 deadline to the Bureau of Systems Review, Local District Proposal Review Section for an extension. The reason(s) for the delay must be fully detailed and a revised date proposed. The merits of each request will be considered when making a determination. The local district will be contacted when a decision has been made and when appropriate, a reasonable revised deadline will be determined. No deadline for the submission of Service Agreement Amendments will be extended beyond September 1 following the year in which it would be effective.

3. A Cover Letter must be submitted with every Amendment. It should explain the reason(s) for any increase(s) and detail the amount of the increase

(Amendment) as well as the revised total amount of the Service Agreement costs for that year.

4. A Job Accounting Summary Sheet (JASS) and supporting documentation must be provided for all Amendment requests. The JASS submitted must either be a hardcopy or electronic version of the form specified in 90 LCM-147 (a computer generated facsimile is acceptable). The following changes should be made:

RATES REMAIN THE SAME: If the rates remain the same as originally submitted, the JASS (using the 90 LCM-147 format) should only reflect the additional amount(s) requested. A rate methodology is not necessary, however supporting documentation is required and should include, as necessary, additional application descriptions, bills showing additional hours, etc.

RATES ARE CHANGED: Changes in rates require a new JASS (utilizing the format in 90 LCM-147) which specifies the revised rates, the new totals requested for the year and a new rate methodology for each rate changed.

C. Schedule for 1992 Service Agreements:

1992 Service Agreement Due	12/31/91
1992 Service Agreement Submission Extension (if approved request for extension received by - 12/31/91)	04/01/92
1992 Service Agreement Approval Deadline	12/31/92
1992 Service Agreement Amendment Due	07/01/93
1992 Service Agreement Amendment Extension (if approved request for extension received by - 07/01/93)	09/01/93
1992 Service Agreement Amendment Approval	12/31/93

D. Procurement Policy

State and Federal regulations require that LSSDs comply with competitive procurement guidelines. The Section reference for the General Municipal Law has changed. Item "G" of the clauses that are required to be included as part of the boilerplate language of all Service Agreements has been revised to include the changed reference:

Any equipment and/or services which are procured primarily (51% or more of the total use) for the use of the Local Social Services District will be subject to the review and approval of the Local Social Services District. Further, the method of procurement will be in accordance with State Guidelines specified in General Municipal Law, Sections 103 and 801 (see Reference 4, Guidelines for EDP Approval). The Guidelines indicate the circumstances under which competitive procurement is required as a prerequisite to State and Federal reimbursement. In addition, the procurement of this equipment and/or services will be in compliance with the provisions of DHHS' procurement regulations in CFR 45, Part 74, Subpart P and USDA's procurement regulations in FNS Handbook 100, Section 8350 (see References 5 and 6, Guidelines for EDP Approval).

Igor Koroluk
Director
Bureau of Systems Review

Attachment I.

SERVICE AGREEMENT CHECKLIST

____ Introduction

Required Clauses

- ____ A. Administrative responsibility
- ____ B. Authority to participate
- ____ C. Due dates to be met
- ____ D. Changes conform to schedule
- ____ E. Special reports as required
- ____ F. Meets federal/state/local requirements
- ____ G. 51% of equipment dedicated (only for local DSS EDP)
- ____ H. Data available for review/audit
- ____ I. Reproduction, use & publishing of software
- ____ J. Copies of reports (on demand) to oversights
- ____ K. Safeguard information
- ____ L. Service bureau provides resources
- ____ M. Non-discrimination
- ____ N. Non-breach of conditions of SA
- ____ O. All records kept for 3 years

____ Statements of certification (A - B - C)

____ Original signature page(s)

____ Job Accounting Summary Sheet (JASS)

- ____ Medical Assistance
- ____ Public Assistance
- ____ Food Stamps
- ____ Support Collection (IV-D)
- ____ Services
- ____ HEAP
- ____ Administration

____ Rate Methodology (substantiating each service claimed on JASS)

____ Depreciation schedule (if applicable)

____ Expanded description of applications/reports

Attachment II.

SERVICE AGREEMENT AMENDMENT CHECKLIST

- ___ Cover Letter (explaining reason for amendment)

- ___ Statements of certification (A - B - C)
- ___ Original signature page

- ___ Amended Job Accounting Summary Sheet (JASS)
 - ___ Medical Assistance
 - ___ Public Assistance
 - ___ Food Stamps
 - ___ Support Collection (IV-D)
 - ___ Services
 - ___ HEAP
 - ___ Administration

- ___ Rate methodology (substantiating any changed rate for each service claimed on JASS)

- ___ Depreciation schedule (if applicable)

- ___ Expanded description of applications/reports (if applicable)