



George E. Pataki  
Governor

NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
40 NORTH PEARL STREET  
ALBANY, NY 12243-0001

Brian J. Wing  
Commissioner

## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	02 LCM 11	
<b>To:</b>	Local District Commissioners	
<b>Issuing Division/Office:</b>	Office of Finance	
<b>Date:</b>	October 3, 2002	
<b>Subject:</b>	Model HEAP Cooperative Agreement/Contract	
<b>Contact Person(s):</b>	Regions I-IV: Roland Levie: e-mail Roland.Levie@dfa.state.ny.us or by calling 1-800 343-8859, ext. 4-7549 or (518) 474-7549 Regions V-VI: Marvin Gold: e-mail Marvin.Gold@dfa.state.ny.us or by calling (212) 383-1733	
<b>Attachments:</b>	yes	
<b>Attachment Available On – Line:</b>	Model HEAP Cooperative Agreement/Contract	

### Section 2

#### I. Purpose

The purpose of this LCM is to inform the local districts of the development of a model cooperative agreement/contract for the HEAP program.

#### II. Background

The provision of administrative services by local governmental agencies (i.e., the local Office of Aging acting as a HEAP certifier) for the local Department of Social Services needs to be supported by an interagency contract/agreement which details the services to be provided. These agreements/contracts, according to Administrative Directive 80 ADM-86 requirements, should be prior reviewed and approved by the Office of Finance in the New York State Office of Temporary and Disability Assistance (OTDA) before claiming reimbursement of such services. The approval process for these agreements has become an extra burden on both state staff and local district staff. As a result, a model contract/agreement (copy attached) has been developed for the local districts to use to meet the requirements of 80 ADM-86.

These local district contracts/agreements that have incorporated the provisions contained in this HEAP model contract/agreement will be considered to be approved and, therefore, would not need to be submitted to for prior review or approval.

### **III. Program Implications**

The local districts may use this model contract/agreement to obtain administrative services from other local governmental agencies for services in administering the HEAP certification process. By using the provisions in the model contract the local district contracts/agreements would not need to be submitted for prior approval. The local districts may add additional clauses to the model to meet local needs as long as those additional provisions are not contrary to the intent of this model agreement. An example of such a clause would be performance measures and/or standard requirements that the contractor must meet and any penalties that would be taken for not meeting the measures/requirements.

Any agreements with other local governmental agencies that deviate from the provisions in this model agreement will need to be submitted to the Bureau of Financial Services for prior approval. Please submit such agreements to:

Richard Radzynski  
NYS OTDA  
Bureau of Financial Services  
40 N. Pearl St. 14C  
Albany, NY 12243

**Issued By the Office of Finance**

**Name: Philip Maher**

**Title: Assistant Commissioner**

**Division/Office: Office of Finance**