

COUNTY OF GENESEE

**REQUEST FOR PROPOSALS
FOR
GENESEE COUNTY**

**CONSULTANT TO ASSIST IN
EVALUATING OPTIONS FOR OPERATION, MANAGEMENT,
AND/OR SALE OF SKILLED NURSING FACILITY**

RFP 2009-115



ISSUE DATE:

FRIDAY, NOVEMBER 13, 2009

DUE DATE:

FRIDAY, DECEMBER 11, 2009 – 11:00 A.M.

RESPOND TO:

**GENESEE COUNTY
COUNTY BUILDING #1
ROOM 317A
15 MAIN STREET
BATAVIA, NEW YORK 14020**

ATTENTION:

**CHESTER J. KALETA
DIRECTOR, PURCHASING**

GENESEE COUNTY
PURCHASING DEPARTMENT
RESPONSE CHECKLIST
RFP 2009-115 Nursing Home Consultant

The Proposers attention is especially called to the terms listed below, which must be submitted in full as part of this proposal.

Failure to submit any of the documents listed below as a part of your proposal, or failure to acknowledge any addendum in writing with your proposal, or submitting a proposal on any condition, limitation or provision not officially invited in this RFP (Request for Proposals) may be cause for rejection of the proposal.

Please check each item indicating your compliance.

THIS CHECKLIST MUST BE SUBMITTED AS PART OF YOUR PROPOSAL.

- _____ RESPONSE CHECKLIST
- _____ PRICING SUBMISSION SHEET (Vendor's Own Submission)
- _____ NON-COLLUSION FORM
- _____ PROPOSAL FORM
- _____ REQUIRED FORMS/INFORMATION AS LISTED IN RFP
- _____ ADDENDUM(S) ACKNOWLEDGED (IF APPLICABLE)
- _____ **ONE (1) ORIGINAL AND SIX (6) COPIES OF PROPOSAL DOCUMENTS**
- _____ VENDOR RESPONSIBILITY FORM

Please read all the information contained in this package.

COMPANY	TELEPHONE NUMBER
ADDRESS	EMAIL ADDRESS
AUTHORIZED REPRESENTATIVE (PRINT)	TITLE
AUTHORIZED SIGNATURE	DATE

Legal Notice

REQUESTS FOR PROPOSALS

Consultant to Assist in Evaluating Options for County Nursing Facility RFP 2009-115

Genesee County Purchasing Director is seeking a professional service/consultant to assist the County in evaluating of options for the operation, management and/or sale of its 160 bed Skilled Nursing Facility and adjoined 80 bed Public Adult Home which comprise a long term care facility located in the City of Batavia, New York.

Specifications may be obtained from Genesee County Purchasing Department, County Building No.1, 15 Main Street, Room 317A, Batavia, New York 14020, either in person or upon request between hours of 8:30 A.M. and 5:00 P.M., Monday through Friday. Phone request: 585-344-2550, ext. 2201. Download Bid specifications www.co.genesee.ny.us/dpt/centralservices Register before downloading.

Sealed proposals must be in possession of Genesee County Purchasing Director, County Building No.1, 15 Main Street, room 317A, Batavia, New York 14020, no later than Friday, December 11, 2009 at 11:00 a.m. EST. All proposals shall be accompanied by a non-collusion statement in order to be considered. Late Proposals will be returned, unopened to contractor.

Genesee County reserves right to forego any formalities and reject any or all bids.

Genesee County is an equal opportunity employer.

REQUESTS FOR PROPOSALS
Nursing Home Consultant
RFP 2009-115

BACKGROUND INFORMATION

Genesee County, New York, a non-chartered county government located in western New York between Buffalo and Rochester is seeking a professional service/consultant to assist the County in evaluating its options for the operation, management and/or sale of its 160 bed Skilled Nursing Facility and adjoined 80 bed Public Adult Home which comprise a complete long term care facility located at 278 Banks Street, Batavia, NY 14020. Said service/consultant will be asked to assist the County in outlining options for future public and/or private ownership/operation of the present 240 bed facility and to help the County develop a strategy and plan of action for going forward with said facility and residents.

SCOPE OF SERVICES

Interested firms/consultants should address their proposals outlining experience, credentials and similar undertaking client list to the Director of Purchasing, Genesee County, 15 Main Street, Batavia, NY 14020. Proposals are due Friday, December 11, 2009 by 11:00 am EST. Interested parties should be prepared to address the following criteria/constraints as part of their demonstration of experience, know how to assist Genesee County in its analysis.

PRELIMINARY DECISION CRITERIA/CONSTRAINTS

1. Union related impacts/considerations
2. Employee related impacts/considerations (to the extent separate from Union)
3. Community impact
 - a. Availability of Medicaid beds – safety net facility considerations
 - b. Impact on local hospital/acute care facilities
 - c. Adult Home vs. SNF beds – NYS future consideration for Genesee County being classified as underbedded by 2013.
4. Economic
 - a. One time exit/capital costs
 - b. Ongoing support costs/savings
 - c. Wind down expenses
 - d. Pension related issues
5. Legal
 - a. Contract separation
 - b. Ongoing legal obligations
 - c. Steps necessary to obtain authorization to implement
 - d. Potential road blocks to legal authority to act
6. Operational
 - a. Process and system transfer
7. Strategic positioning
 - a. Decision maker/community support and/or reaction
8. Timeframe

- a. What is the current thinking in relation to Albany's intentions for cuts to nursing homes and/or transfer of state mandated Medicaid costs to counties and other related changes in fiscal philosophies for long term care and non-institutional strategies for transitions/continuum of care.

PROPOSAL FORMAT

The following is what is expected in each of the major sections of your proposal. The Proposer is to make a written proposal which presents an understanding of the work to be performed. Responses should be thorough and detailed as possible so the County may properly evaluate the firm's capabilities to provide the required services.

Section A – Introduction:

This section should contain an Executive Summary which demonstrates your understanding of the Scope of Services. Provide information necessary for Genesee County to evaluate the qualifications, experience, and expertise of the proposing firm to work with the County.

Section B – Company Profile and History:

Name, phone number and e-mail address of person the Review Committee should contact with any questions on the proposal. The name and title of person submitting the proposal. Documentation of vendor history, including capabilities in the areas of services to be provided, number of years in business, number of years doing business in New York State, size and scope of operation. Type of organization (corporation, partnership or sole proprietorship). Indicated individual designated as the account manager for this consulting service and submit a resume for this individual identifying past experience on similar projects. The Review Committee reserves the right to interview the individual. A statement indicating the respondent is in good financial standing, not in any form of bankruptcy, current in taxes.

Section C – Vendor Requirements:

Vendor to include compliance to requirements listed within this Request for Proposals. The Proposer shall describe in detail any services that will be subcontracted.

Section D – Required Forms:

Required forms listed in the RFP to be returned with Proposal. Specifically include a signed Proposal, Non-Collusion and Vendor Responsibility form. Also include the insurance and workman's comp/disability certification.

Section E. – Pricing Section:

Provide pricing details and all associated costs.

Section F – References:

This section shall contain names of at least three (3) similar contracts within New York State you presently have (or previously had) with other municipalities or local government agencies within the past three to five years. Please include company name, address, telephone number and contact person.

Section G – Additional Information:

This section should include additional information the proposer finds would be helpful regarding the proposed service.

GENERAL INFORMATION

Obligations of Proposers and Inquiries:

A. Every person intending to issue a proposal pursuant to these specifications, before submitting said proposal, shall make himself fully familiar with the product to be provided. A vendor will be barred from pleading misunderstanding or deception because of estimates of quantities, character, scope of work, location or other conditions surrounding the same. Permission will not be given to modify any proposals after the proposals are opened.

B. To ensure fair consideration for all proposers, Genesee County prohibits communication to or with any county department or employee during the submission process, except as provided in item (C) below. Additionally, Genesee County prohibits communications initiated by a proposer to any Genesee County Official or employee evaluating or considering the proposal prior to the time an award decision has been made. Any communication between the Proposer and Genesee County will be initiated by the appropriate Genesee County official or employee in order to obtain information or clarification needed to develop a proper, accurate evaluation of the proposal. Such communications initiated by a proposer shall be grounds for disqualifying the offending Proposer from consideration for award of the proposal and/or any future proposal.

C. Technical Inquiries, either in writing or by telephone, should be addressed to:

1. Department Contact Name:

Jay Gsell, County Manager
7 Main Street
Batavia, NY 14020
585.344.2550 x2204
Email address: jgsell@co.genesee.ny.us

2. RFP Process Inquiries:

Chester J. Kaleta, Director, Purchasing
Genesee County Building No. 1
15 Main Street
Batavia, NY 14020
(585) 344-2550 x2201
Fax: (585) 344-2442
Email address: ckaleta@co.genesee.ny.us

Any questions posed should be addressed in writing, by fax or email, to the Genesee County Purchasing Department. Questions will be accepted up to noon on Thursday, December 3, 2009 Please place (Nursing Home Consultant) in the email subject line.

The resulting answers along with the questions will be forwarded to all interested registered parties receiving the RFP. While all requests for interpretation of the meaning of the RFP must be made in writing, failure on the part of the successful

bidders to do so shall not relieve the Vendor of the obligations to execute such services in accordance with a later interpretation by Genesee County.

Interpretations, corrections or scope changes made in any manner other than “in writing” will not be binding. Upon mailing, any addendum/clarification will become part of these specifications to the same extent as though originally included herein and will be come binding upon all vendors submitting proposals.

Submission of Proposals:

- Proposals must be submitted using the forms included in these specifications.
- Proposals must be accompanied by a signed Proposal Form, a signed Non-Collusion Statement and the Vendors Certification Form. These forms can be found at the end of these specifications.
- **One (1) original and six (6) copies** of the proposal must be provided.
- If discrepancies are found between two or more copies of the bid, the original copy will provide the basis for resolving such discrepancies. If one copy of the proposal is not clearly marked “ORIGINAL,” the County may reject the bid. However, the County may at its sole option, select one copy to be used as the “original.”
- Read all documents contained in the Request for Proposal package.
- Proposers are responsible for submitting their proposal to the Genesee County Purchasing Department, County Building No. 1, Room 317A, 15 Main Street, Batavia, NY 14020 at or prior to the time indicated in the RFP package. No proposals will be accepted after the designated time indicated in the bid package. ***Proposals are due on or before Friday, December 11, 2009, prior to 11:00 AM EST.***
- Facsimile or emailed copies are NOT acceptable. Bids/RFP responses must be delivered to Purchasing Office before stated deadline to be considered.
- Vendors are responsible for reporting, in writing, any errors found in the bid specifications to the Genesee County Purchasing Director, 15 Main Street, Batavia, NY 14020.
- Vendors shall indicate on the outside of their sealed proposal the following information:
 - a. Title of RFP and RFP Number
 - b. Date and Time the RFP is due
 - c. Company Name

Failure to do so may result in the rejection of the proposal as being unresponsive.

Non-Collusion Statement:

A signed Non-Collusion Statement shall be returned with your proposal.

Late Proposals:

Proposals received in the Purchasing Office after the date and time prescribed shall not be considered for contract award and shall be returned to the Vendor as non-responsive. The Vendor is responsible for the delivery of the proposal. If the proposal is delivered to the wrong county office, by any delivery method, the Vendor bears the responsibility. Delivery of the proposal to the specified location at the prescribed time and date is the sole responsibility of the Vendor.

The County employee whose duty it is to receive proposal documents will decide when the specified time has arrived and no proposal received thereafter will be accepted.

NOTE: Any delay due to traffic, weather, construction, mail or express delivery, mechanical failure or failure to locate the Purchasing Office, is not an exception to the deadline for receipt of proposals. Please plan accordingly.

Contract Period:

The contractual period shall be effective on the contract executive date and shall run for one (1) year from that date, with provisions for two (2) additional one-year renewals, at the same terms and conditions, upon written mutual agreement of the parties, with a maximum anticipated engagement of not more than three (3) years.

Contract Award:

Award of contract will be made following review of proposals and approval by the Award Committee followed by Legislature approval, with contract awarded by Genesee County Legislature Resolution. If awarded, the County will award the contract to the lowest responsive and responsible proposer meeting these specifications.

Contract Development:

If the County of Genesee accepts a proposal the County intends to enter into a contractual agreement with the vendor providing the proposal which best meets the needs and requirements of the County. The content of the Request for Proposals and the successful proposal submitted will become an integral part of the contract, but may be modified by provisions of the contract.

Award Committee:

The Award Committee will be made up of representative(s) of County Legislature, County Managers Office, Treasurer's Office, Nursing Home Administrator, Nursing Home Financial Officer, County Purchasing Director and additional county staff may be included in the process as required.

Method of Award:

The award may be made to the most responsible proposer whose proposal is determined to be in the best interest of Genesee County and deemed will best serve the County's requirements, based upon Principal Award Criteria, the evaluation of references, corporate qualifications, and if deemed necessary an interview with the Vendor and the Award Committee.

All proposals will be evaluated to determine if they meet the required format and be in compliance with all requirements of the Request for Proposals.

Incomplete or non-responsive proposals may be rejected at the discretion of Genesee County.

The following criteria will be utilized in the evaluation of qualifications for developing the list of candidates to be considered for interviews and/or potential negotiations. The minimum selection criteria will include: (The following criteria are NOT listed in order of importance.)

Principal Award Criteria:

1. Responsiveness, thoroughness and overall quality of the proposal.
2. Specific experience, technical capabilities, professional competence, and qualifications of proposed personnel, especially those assigned to provide the services in accordance with the Scope of Services.
3. Clearly demonstrated understanding of the work to be performed and completeness and reasonableness of the Proposers plan for accomplishing the Scope of Services.
4. Professional Fees including all expenses.
5. Current workload and ability to complete the project within County time restraints.
6. Demonstration of a history of supplying similar services with comparable municipal and / or governmental accounts of similar size.
7. Compliance with all RFP requirements.

If any of the above components are not present, the proposal may not be evaluated further.

The Genesee County Purchasing Director may arrange for an interview with proposers submitting proposals, if required, for the purpose of obtaining additional information or clarification. Proposers must be prepared to make one or more interviews. Proposers must comply with this request or be disqualified. Proposers may be requested to make presentations prior to award of contract. Proposers must comply with this request or be disqualified.

Proposers are advised that, if in the event of receipt of an adequate number of proposals which, in the opinion of the Genesee County Purchasing Director, require no clarifications and/or supplementary information, such proposals may be evaluated without further discussion. Hence, proposals should be submitted initially on the most complete and represent the Vendor's "best offer."

Genesee County reserves the right to reject any and all proposals and to waive minor irregularities. Genesee County further reserves the right to seek new proposals when such a procedure is reasonably in the best interest of the County to do so.

Proof:

The Vendor shall bear the burden of proof for compliance with this specification.

Exceptions:

Any exceptions to terms, conditions, or other requirements in any part of the RFP must be stated and described in detail as part of the proposal. Otherwise, the County will consider that all items proposed are in strict compliance with the RFP, and the successful Proposer will be responsible for compliance.

Clarification of Proposal Information:

Genesee County reserves the right to request verification, validation or clarification of any information contained in any of the proposals. This clarification may include checking of references and securing other data from outside sources, as well as from the Vendor.

Reference to Other Materials:

The Proposer cannot compel Genesee County to consider any information except that which is contained in its proposal, or which is offered in response to a request from the County.

The Proposer should rely solely on its proposal. The County, however, reserves the right, in its sole discretion, to take into consideration its prior experience with proposers and information gained from other sources.

Altering Proposal:

Proposals cannot be altered or amended after submission deadline. Any interlineations, alteration or erasure made before opening time and date shall be initialed by the signer of the proposal, guaranteeing authenticity. Proposals must be submitted in ink or typewritten. Penciling will not be accepted.

Withdrawal of Proposal:

A proposal may be withdrawn at any time prior to the submittal deadline. A proposal may be withdrawn and resubmitted at any time prior to the submittal deadline. No proposal may be withdrawn after the submittal deadline without the consent of Genesee County Legislature which may be withheld by the Legislature in its absolute discretion.

Amendment of Proposal:

A proposal may not be amended. However, a proposal may be withdrawn and resubmitted pursuant to (Withdrawal of Proposal) section above.

Addenda:

Genesee County may, at any time by written notification to all vendors, change any portion of the RFP describe and detailed herein. These changes will be communicated to the vendors in the form of Addenda. Addenda will be mailed/faxed (and available on the Purchasing Web Page) to all who are known by the County to have received a complete set of specification documents. Copies of Addenda will be made available for inspection at the Purchasing Office and/or posted on the Purchasing Web Site. No Addenda will be issued later than twenty-four (24) hours prior to the date and time for the receipt of offers, except an Addenda withdrawing the proposal or Addenda for postponement of the proposal due date/time.

Vendors shall ascertain prior to submitting their proposal they have received all Addenda issued and the acknowledge receipt of Addenda by the return of the signed Addenda form(s) with the proposal response. It is the responsibility of the Vendor to check the County Web Page for additional Addenda which may be issued on this RFP.

Performance Ability:

The successful vendor must be prepared, if requested to furnish evidence, including documentary evidence where necessary, to establish proof of financial responsibility and ability to perform if awarded a contract. In all cases the decision of the County of Genesee shall be considered final.

Irregular Proposals:

Proposals shall be considered irregular for the following reasons:

- (a) If the proposal does not include the form(s) furnished by the County, or if the County's form(s) is altered.
- (b) If there are unauthorized additions, conditional or alternative pay items, or irregularities of any kind which make the proposal incomplete, indefinite, or otherwise ambiguous.

- (c) If the proposal is not accompanied by a bid guaranty specified (if any) by the County.

The County reserves the right to reject any irregular proposal and the right to waive technicalities if such waiver is in the best interest of the County.

Deviation from Specifications:

Any deviation from the listed specifications must be completely outlined. Failure to comply will constitute reason to declare the proposal unresponsive. The Genesee County Purchasing Director reserves the right to reject any and all proposals and waive any formalities. The Genesee County Purchasing Director reserves the right to reject any material(s) or services which do not comply with these specifications.

Genesee County Reserves the Right:

- (a) Reject any and all proposals received in response to this solicitation;
- (b) The County reserves the right to reject any bid/proposal of any vendor who has previously failed to perform adequately after having once been awarded a prior bid/proposal for furnishing materials or services similar in nature to those in this bid/request for proposal,
- (c) To waive any technical or formal defect in the proposal that is considered by Genesee County to be merely irregular, immaterial, or unsubstantial.
- (d) The County will not accept proposals from firms that have had adversarial relationships with the County or firms that have represented entities that have had adversarial relationships with the County. This includes the firm, employees and financial or legal interests.

Disqualifications:

Genesee County reserves the right to disqualify any company upon convincing evidence of collusion with intent to defraud and to commit any other illegal practices on the part of the firm. Failure to comply with requests for insurance or bonding may also be grounds for disqualification. Genesee County reserves the right to reject any and all proposals, to waive all technicalities and irregularities, and to make the award considered to be in the best interest of the County.

Proposal Subject to Disclosure:

During the evaluation process, the content of each proposal will be held in confidence and details of any proposal will not be revealed (except as may be required under the Freedom of Information Law or other State law). The Freedom of Information Law provides for an exemption from disclosure for trade secrets or information the disclosure of which could cause injury to the competitive position of commercial enterprises. This exception would be effective both during and after the evaluation process.

Should you feel your firm's proposal contains any such trade secrets or other confidential or proprietary information, you must submit a request to except such information from disclosure. Such request shall be in writing, shall state the reasons why the information should be excepted from disclosure, shall be provided at the time of submission of the subject information and in the same envelop as the proposal. The proprietary or confidential data must be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal.

Requests for exemption of the entire contents of a proposal from disclosure have generally not been found to be meritorious and are discouraged. Kindly limit any requests for exemption of information from disclosure to bona fide trade secrets or specific information, the disclosure of which would cause a substantial injury to the competitive position of your firm.

Opening of Proposals:

Under the Request for Proposals process, sealed offers will be received and opened in the Office of the Purchasing Director. Each proposal will be checked to determine if it is complete and meets the requirements of this Request for Proposals. At and after opening, proposals will NOT be part of the public record and subject to disclosure, but will be kept confidential until after award. When such award is completed, proposals will be available for public inspection.

Right to Submitted Materials:

All responses, inquiries, or correspondence relating to or in reference to this RFP, and all other reports, charts, display, schedules, exhibits and other documentation submitted by the proposers, will become the property of the County when received.

Minimum Conditions for Consideration:

To be considered, the Proposer must, at a minimum, respond to the full scope of services specified in this RFP. The Vendor may provide suggested additions, enhancements or improvements to the scope of services, which, at the discretion of the County, may or may not be considered.

Provide a detailed price breakdown for your services as they apply to this project.

General Contract Terms:

The terms and conditions contained within this Request for Proposal shall be incorporated into any contract resulting from the acceptance of any proposal. (If applicable, please include a copy of your contract document for review/approval by the County Attorney.)

Completeness or Accuracy of Documents:

The County of Genesee shall not be held responsible for the completeness or accuracy of any RFP documents received by a vendor that were not directly issued to that vendor by the Genesee County Purchasing Department.

Any vendor submitting a proposal based on incomplete or inaccurate information resulting from documentation received from any third party, shall not have cause for relief from award or completion of a contract in accordance with the official documents on file with the Genesee County Purchasing Department.

It is HIGHLY suggested that all vendors interested in participating in this RFP, contact the Genesee County Purchasing Department directly at the County address, email or telephone number to assure they have received the most accurate and up to date material concerning this contract.

Registration, Downloading, Addenda From Purchasing Web Site:

A Registration Form must be completed before you download either a RFP or Addendum. If you have not filled out the Registration Form, please do so before downloading RFP. All

vendors shall register for each RFP downloaded from the Purchasing Site. If you have downloaded this RFP document already, either register on the Purchasing Web Page or by calling the Purchasing Department at (585) 344-2550 x2201 to verbally register. This step is very important. If you do not register you will not be considered a qualified vendor. Vendors are exclusively responsible for the downloading Addendums from the web site. It is imperative to check the Purchasing Web Page frequently right up to the RFP closing date. By submitting a proposal a vendor waives any claims related to the failure to keep so apprised.

Reminder: It is the Vendor's sole responsibility to verify the proposal submittal includes any or all addenda.

Governing Law:

This contract shall be governed by the laws of the State of New York except where the Federal Supremacy clause requires otherwise.

Visit our Web Site:

Information on Genesee County Bids/RFPs and Addendums are available at the Purchasing Web Site www.co.genesee.ny.us/dpt/centralservices.

PROPOSAL
Nursing Home Consultant
RFP 2009-115

TO: Chet Kaleta, Purchasing Director, Genesee County;

THE UNDERSIGNED PROPOSES TO PROVIDE THE GOODS AND SERVICES required as set forth in the referenced Request for Proposal. The successful bidder hereby agrees to furnish the goods and services in accordance with all terms, conditions and specifications contained within referenced Request for Proposal, at prices submitted in referenced specifications. I certify that I am authorized to sign this proposal, myself or the company or firm I represent, to a contract with Genesee County. This signed proposal will become part of a binding contract after award by the Genesee County Legislature to the successful bidder.

NOTE: By signing and submitting the proposal form for consideration by Genesee County Legislature the Contractor acknowledges they have read, understood, and agree to all aspects of the specifications as presented without reservation or alteration.

Legal name of firm/corporation

Authorized Signature (IN BLUE INK)

Address

Typed Name

City/State/Zip

Title

Date

Telephone No.

Fax No.

Federal ID Number: _____

Email Address: _____

DO NOT WRITE BELOW THIS LINE (FOR COUNTY USE ONLY)

CHAIRPERSON, GENESEE COUNTY LEGISLATURE

RESOLUTION NO.

DATE

YOU MUST RETURN FORM WITH YOUR PROPOSAL

NON-BIDDERS RESPONSE

RFP # 2009-115

RFP NAME: Genesee County – Nursing Home Consultant

VENDOR NAME: _____

The County of Genesee is interested in ascertaining reasons for prospective vendor's failure to respond to invitation to submit a proposal. If your firm is not/or has not responded to **RFP #2009-115**, please indicate the reason(s) why by checking any appropriate item(s) below and returning this form to the Genesee County Purchasing Department, County Building No.1, 15 Main Street, Batavia, NY 14020.

We are/did not respond to this RFP for the following reason(s):

- _____ Items or materials requested not manufactured by us or not available to our Company.
- _____ Our items and/or materials do not meet specifications.
- _____ Specifications not clearly understood or applicable (too vague, too rigid, etc.)
- _____ Quantities too small
- _____ Insufficient time allowed for preparation of proposal
- _____ Incorrect address used.

Correct address

is: _____

_____ Other reason(s):

We continually strive to improve our process. Thank you for taking the time to complete our survey.

Chet Kaleta
Director, Purchasing

Vendor Certification RFP 2009-115

As of January 1, 2005, the Office of the State Comptroller is requiring that governmental agencies award contracts only to vendors that have been certified as “responsible.” Vendor responsibility means that a vendor has the integrity to justify the award of public dollars and the capacity to fully perform the requirements of the contract. It is a contracting agency’s responsibility, under Section 163 (9) of the State Finance Law (SFL), to evaluate and make a determination of the responsibility of a prospective contractor. A responsibility determination, wherein the contracting agency determines that it has reasonable assurances that a vendor is responsible, is an important part of the procurement process, promoting fairness in contracting and protecting a contracting agency and the State (as well as the County) against failed contracts.

The following factors are to be considered in making a responsibility determination:

1. Legal Authority to do business in New York State
2. Integrity
3. Capacity – both organizational and financial
4. Previous performance

Please complete the enclosed Vendor Responsibility Questionnaire. The completed Questionnaire shall be returned with your bid submission in order for your bid to be ruled responsive.

Additional information concerning vendor responsibility, including electronic versions of forms, may be found at the Office of the State Comptroller’s (OSC) website:
<http://www.osc.state.ny.us/vendrep>

Vendor Responsibility Form

Genesee County – RFP 2009-115

Within the past five (5) years has your firm, any affiliate, any predecessor company or entity, owner, director, officer, partner or proprietor been the subject of:

ANSWER ALL QUESTIONS

- A. an indictment, judgment, conviction, or a grant of immunity, including pending actions, for any business related conduct constituting a crime under governmental law? YES _____ NO _____
- B. a government suspension or debarment, rejection of any bid or disapproval of any proposed subcontract, including pending actions, for lack of responsibility, denial or revocation of prequalification or a voluntary exclusion agreement? YES _____ NO _____
- C. any governmental determination of a violation of any public works law or regulation, or labor law or regulation, or any OSHA violation deemed "serious or willful?" YES _____ NO _____
- D. a consent order with NYS Department of Environmental Conservation, or a governmental enforcement determination involving a construction-related violation of federal, state, or local environmental laws? YES _____ NO _____
- E. a finding of non-responsibility by a governmental agency or Authority for any reason, including but not limited to the intentional provision of false or incomplete information as required by Executive Order 127? YES _____ NO _____

If yes to any of above, please provide details regarding the finding.

ENTITY MAKING FINDING: _____

YEAR OF FINDING: _____

BASIS OF FINDING: _____

(Attach Additional Sheets if Necessary)

Overview on Executive Order #127 May be Accessed:
<http://www.ogs.state.ny.us/aboutOgs/regulations/procurement/overview.html>

RFP 2009-115
Nursing Home Consultant

ATTACHMENTS

A. Most Recent Independent Audit of Genesee County Nursing Home

B. Long Term Debt Profile

C. Summary of 2010 Operating Budget

D. Proposed 2010 Program Budget

**GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York**

FINANCIAL REPORTS
AT
DECEMBER 31, 2008



ROTENBERG & CO. LLP
Certified Public Accountants

585.295.2400 ♦ 585.295.2150 (fax)

1870 Winton Road South ♦ Rochester, NY 14618 ♦ www.rotenbergllp.com

INDEPENDENT AUDITORS' REPORT

Board of Supervisors
Genesee County Nursing Home
Batavia, New York

We have audited the accompanying balance sheets of Genesee County Nursing Home, an enterprise fund of Genesee County, as of December 31, 2008 and 2007, and the related statements of revenues, expenses and changes in fund net assets, and cash flows for the years then ended. These financial statements are the responsibility of Genesee County's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

As discussed in Note A, the financial statements present only Genesee County Nursing Home and do not purport to, and do not, present fairly the financial position of Genesee County, New York as of December 31, 2008 and 2007, and the changes in its financial position and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Genesee County Nursing Home of Genesee County, New York as of December 31, 2008 and 2007, and the changes in its financial position and its cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

Rotenberg & Co., LLP

Rochester, New York
May 6, 2009

GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York

BALANCE SHEETS

December 31,	2008	2007
ASSETS		
Current Assets		
Cash and Cash Equivalents	\$ 2,320,126	\$ 360,645
Short Term Investments	2,680,000	—
Accounts Receivable - Net of Allowance for Doubtful Accounts	2,353,723	2,254,765
County Contribution Receivable	—	900,000
Grants Receivable	—	96,644
Prepaid Expenses and Other Current Assets	45,487	44,183
Total Current Assets	7,399,336	3,656,237
Property, Plant and Equipment - Net of Accumulated Depreciation	11,092,389	11,878,357
Other Assets		
Third Party Settlements Receivable	27,039	85,761
Resident Funds Held in Trust	151,779	78,663
Total Assets	\$ 18,670,543	\$ 15,699,018
LIABILITIES AND NET ASSETS		
Current Liabilities		
Capital Lease Obligations - Due Within One Year	\$ 372,364	\$ 352,624
Debt - Due Within One Year	2,285,000	460,000
Due to Other County Funds	710,422	647,051
Accounts Payable	474,251	610,263
Accrued Expenses	989,867	953,279
Total Current Liabilities	4,831,904	3,023,217
Other Liabilities		
Capital Lease Obligations - Due After One Year	2,965,761	3,338,125
Debt - Due After One Year	4,200,000	6,485,000
Resident Funds Held in Trust	151,779	78,663
Total Liabilities	12,149,444	12,925,005
Net Assets		
Invested in Capital Assets, Net of Related Debt	3,069,264	3,042,608
Unrestricted Net Assets (Deficit)	3,451,835	(268,595)
Total Net Assets	6,521,099	2,774,013
Total Liabilities and Net Assets	\$ 18,670,543	\$ 15,699,018

The accompanying notes are an integral part of these financial statements.

GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York

STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN FUND NET ASSETS

Years Ended December 31,	2008	2007
Operating Revenues		
Net Resident Service Revenue	\$ 15,793,112	\$ 14,214,466
Other Revenue	292,901	430,198
Bad Debt Expense	(280,000)	(164,485)
Total Operating Revenues	15,806,013	14,480,179
Operating Expenses		
Nursing Services	5,622,518	5,579,461
Employee Benefits	2,689,646	2,561,691
Dietary Services	1,776,291	1,715,738
Administrative Services	1,268,741	1,088,267
Ancillary Services	1,195,263	1,192,765
Plant Operations and Maintenance	969,149	877,058
Depreciation	906,129	882,430
Housekeeping Services	571,385	577,257
NYS Assessment	554,788	551,960
Laundry and Linen	367,593	373,852
Activities	198,431	185,770
Social Services	168,354	162,218
Insurance	52,192	54,844
Leases and Rentals	31,481	22,114
Total Operating Expenses	16,371,961	15,825,425
Loss from Operations	(565,948)	(1,345,246)
Non-Operating Revenues (Expenses)		
Intergovernmental Transfer for Rate Enhancement	5,796,520	—
Non-Cash County Contribution of Property	5,031	148,493
Interest Income	4,606	21,682
Interest Expense	(458,996)	(528,700)
Transfer to County	(1,034,127)	—
Contribution from County	—	1,620,718
Net Non-Operating Revenues	4,313,034	1,262,193
Change in Net Assets	3,747,086	(83,053)
Net Assets - Beginning of Year	2,774,013	2,857,066
Net Assets - End of Year	\$ 6,521,099	\$ 2,774,013

The accompanying notes are an integral part of these financial statements.

GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York

STATEMENTS OF CASH FLOWS

Years Ended December 31,	2008	2007
Cash Flows from Operating Activities		
Cash Received for Services Provided	\$ 15,765,777	\$ 14,615,785
Cash Payments for Contractual Expenses	(5,046,586)	(4,942,977)
Cash Payments for Personnel Services and Benefits	(10,439,091)	(9,757,607)
Net Cash Flows from Operating Activities	280,100	(84,799)
Cash Flows from Non-Capital Financing Activities		
Cash Received for Revenue Anticipation Notes	1,800,000	1,800,000
Repayment of Revenue Anticipation Notes	(1,800,000)	(2,500,000)
Interest Paid	(64,979)	(91,794)
Other Non-Operating Revenue	5,759,037	1,210,044
Net Cash Flows from Non-Capital Financing Activities	5,694,058	418,250
Cash Flows from Capital and Related Financing Activities		
Cash Purchases of Property and Equipment	(89,645)	(120,766)
Repayment of Capital Lease Obligations	(352,624)	(333,934)
Repayment of Serial Bonds	(460,000)	(440,000)
Interest Paid	(437,014)	(475,777)
Net Cash Flows from Capital and Related Financing Activities	(1,339,283)	(1,370,477)
Cash Flows from Investing Activities		
Purchase of Short Term Investments	(2,680,000)	—
Interest Income	4,606	21,682
Net Cash Flows from Investing Activities	(2,675,394)	21,682
Net Change in Cash and Cash Equivalents	1,959,481	(1,015,344)
Cash and Cash Equivalents - Beginning of Year	360,645	1,375,989
Cash and Cash Equivalents - End of Year	\$ 2,320,126	\$ 360,645
NON-CASH FINANCING ACTIVITIES		
Non-Cash Contribution of Property	\$ 5,031	\$ 148,493

RECONCILIATIONS OF LOSS FROM OPERATIONS TO NET CASH FLOWS FROM OPERATING ACTIVITIES

Years Ended December 31,	2008	2007
Loss from Operations	\$ (565,948)	\$ (1,345,246)
Adjustments		
Bad Debt Expense	280,000	164,485
Depreciation	906,129	882,430
Changes		
Accounts Receivable	(378,958)	112,990
Prepaid Expenses and Other Current Assets	(1,304)	8,633
Third Party Settlements Receivable	58,722	(85,761)
Due to Other County Funds	37,758	(60,873)
Accounts Payable	(136,012)	169,785
Accrued Expenses	79,713	124,866
Third Party Settlements Payable	—	(56,108)
Net Cash Flows from Operating Activities	\$ 280,100	\$ (84,799)

The accompanying notes are an integral part of these financial statements.

**GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York**

NOTES TO FINANCIAL STATEMENTS

Note A - Organization and Summary of Significant Accounting Policies

Organization

Genesee County Nursing Home (the Facility) is a state-licensed 160-bed Residential Health Care Facility, 80-bed adult home (domiciliary), and a child and adult day care facility owned and operated by the County of Genesee (the County).

Basis of Presentation

The accounts of the County are organized on the basis of funds and account groups. A fund is a separate accounting entity with a self-balancing set of accounts.

Proprietary Funds are used to account for ongoing organizations or activities which are similar to those often found in the private sector. The measurement focus is upon determination of net income, financial position and changes in cash flow. Enterprise Funds are Proprietary Funds used to report any activity for which a fee is charged to external users for goods or services. The Facility is an Enterprise Fund.

The Facility applies all GASB pronouncements as well as the Financial Accounting Standards Board pronouncements issued on or before November 30, 1989, unless those pronouncements conflict with or contradict GASB pronouncements.

Method of Accounting

The Facility maintains its books and prepares its financial statements on the accrual basis of accounting.

Cash and Cash Equivalents

Cash and cash equivalents include time deposits, certificates of deposit, and all highly liquid debt instruments with original maturities of three months or less. Substantially all of the Facility's cash and cash equivalents are included in bank accounts with those of the County. At December 31, 2008, these deposits were entirely covered by Federal Deposit Insurance or bank collateral provided by the County's custodial bank or at a bank where investments are held.

Short Term Investments

Short term investments include certificates of deposit with maturities from three months to a year.

Accounts Receivable and Allowance for Doubtful Accounts

Accounts receivable are stated net of an allowance for doubtful accounts. The Facility estimates the allowance based on its analysis of specific balances, taking into consideration the age of past due accounts, the status of the billing process with third-party payers, the value of remaining assets held by residents, and anticipated collections resulting from legal action.

- continued -

**GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York**

NOTES TO FINANCIAL STATEMENTS

Note A - Organization and Summary of Significant Accounting Policies - continued

Property, Plant, Equipment and Depreciation

Property, plant and equipment are stated at cost, less accumulated depreciation computed on the straight line method over estimated useful lives as follows:

Building and Improvements	5 - 40 Years
Equipment	3 - 25 Years
Land Improvements	5 - 25 Years

All acquisitions of property and equipment and all expenditures for repairs, maintenance, renewals, and betterments that materially prolong the useful lives of assets and exceed \$200 are capitalized. Maintenance and repairs are charged to expense. The cost of property and equipment retired or otherwise disposed of and related accumulated depreciation are removed from the accounts.

Resident Funds Held in Trust

The Facility acts as a custodian for resident funds. The funds are expended at the direction of the residents for personal items.

Net Asset Classifications

Net assets are classified into the following components:

- *Invested in Capital Assets, Net of Related Debt* - Includes the net book value of all capital assets less the outstanding balances of bonds, mortgages, notes and other debt used to acquire, construct, or improve those assets.
- *Unrestricted Net Assets* - Amount that is left over after reporting net assets as either invested in capital assets or restricted net assets.

Revenue Recognition

Net resident service revenue is reported at estimated net realizable amounts from residents, third party payers, and others for services rendered and includes estimated retroactive revenue adjustments due to changes in case mix indexes and future audits, reviews and investigations. Retroactive adjustments are considered in the recognition of revenue on an estimated basis in the period the related services are rendered, and such amounts are adjusted in future periods as adjustments become known or as years are no longer subject to such audits, reviews, and investigations. It is not possible to determine the extent of additional liability (or receivable) resulting from governmental audits conducted in subsequent years.

Laws and regulations governing reimbursement are extremely complex and subject to interpretation. As a result, there is at least a reasonable possibility that recorded estimates will change by a material amount in the near term.

- continued -

GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York

NOTES TO FINANCIAL STATEMENTS

Note A - Organization and Summary of Significant Accounting Policies - continued

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expense during the reporting period. Actual results can differ from those estimates.

Reclassifications

Certain amounts in the prior year financial statements have been reclassified to conform with the current year presentation.

Note B - Accounts Receivable

Accounts receivable consisted of the following:

December 31,	2008	2007
Medicare	\$ 425,183	\$ 702,259
Medicaid	1,343,557	976,350
Self-Pay	840,169	689,333
	\$ 2,608,909	\$ 2,367,942
Less: Allowance for Doubtful Accounts	255,186	113,177
Net Accounts Receivable	\$ 2,353,723	\$ 2,254,765

The Facility derives over 80% of its resident care revenue from governmental agencies.

Note C - Property, Plant and Equipment

Property, plant and equipment consisted of the following:

December 31,	2008	2007
Building and Improvements	\$ 19,228,073	\$ 19,228,073
Equipment	4,300,651	4,235,094
Land Improvements	201,202	201,202
	\$ 23,729,926	\$ 23,664,369
Less: Accumulated Depreciation	12,637,537	11,786,012
Net Property, Plant and Equipment	\$ 11,092,389	\$ 11,878,357

**GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York**

NOTES TO FINANCIAL STATEMENTS

Note D - Capital Lease Obligations

The Facility leases various energy and conservation improvements and equipment under capital leases from third parties.

Future minimum lease payments as of December 31, 2008 are as follows:

Year Ended December 31,	Total
2009	\$ 558,683
2010	558,683
2011	558,683
2012	558,683
2013	558,683
Subsequent to 2013	1,383,398
Total Minimum Lease Payments	\$ 4,176,813
Less: Amount Representing Interest	838,688
Net Present Value	\$ 3,338,125
Less: Amount Due Within One Year	372,364
Amount Due After One Year	\$ 2,965,761

Property under capital leases consisted of the following:

December 31,	2008	2007
Building Improvements and Equipment	\$ 5,934,937	\$ 5,934,937
Less: Accumulated Amortization	1,944,434	1,676,027
Net Property Under Capital Lease	\$ 3,990,503	\$ 4,258,910

Note E - Transactions with the County of Genesee

The County has elected to be self-insured for workers' compensation claims. The Facility's share of such claims, including an estimate of claims incurred but not reported, was \$336,077 and \$469,594 in 2008 and 2007, respectively, and is included in Due to Other County Funds. Workers' compensation expense totaled \$208,132 and \$279,270 for the years ended December 31, 2008 and 2007, respectively. The County has also elected to be self-insured for health, major medical and dental claims, subject to certain aggregate loss limits. The Facility's share of such claims was \$1,346,858 and \$1,163,470 for the years ended December 31, 2008 and 2007, respectively and is included in employee benefits expense. The estimated liability for claims incurred but not yet received is recorded at the County level and is based on the history of claims processed, determined by the third party administrator of the plan.

Several County departments provide certain financial and operating services to the Facility. The value of these services during 2008 and 2007 was \$374,345 and \$177,458, respectively. These costs are included in administrative, interest and depreciation expenses in the accompanying financial statements.

GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York

NOTES TO FINANCIAL STATEMENTS

Note F - Debt

Debt consisted of the following:

December 31,	2008	2007
2001 Public Improvement (Serial) Bonds, due in varying semi-annual payments plus interest at 4.375% - 4.875%, with the final payment due in April 2016.	\$ 4,685,000	\$ 5,145,000
Revenue Anticipation Notes, due April 7, 2009 plus interest at 1.89%.	1,800,000	1,800,000
Total Debt	\$ 6,485,000	\$ 6,945,000
Less: Amount Due Within One Year	2,285,000	460,000
Amount Due After One Year	\$ 4,200,000	\$ 6,485,000

Total debt service for the years succeeding December 31, 2008 is as follows:

	Principal	Interest	Total
2009	\$ 2,285,000	\$ 240,483	\$ 2,525,483
2010	515,000	183,963	698,963
2011	540,000	160,225	700,225
2012	570,000	135,250	705,250
2013	600,000	108,550	708,550
2014 - 2016	1,975,000	145,963	2,120,963
	\$ 6,485,000	\$ 974,434	\$ 7,459,434

The serial bonds and revenue anticipation notes were issued by the County of Genesee on the Facility's behalf and therefore, actually represent amounts due to the County. The Facility is obligated to pay all interest and debt service payments to the County according to the terms of the agreements. The County has pledged its full faith and credit against these obligations.

**GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York**

NOTES TO FINANCIAL STATEMENTS

Note G - Intergovernmental Transfer

The State budget contains a provision for an Intergovernmental Transfer (IGT). This provision results in a statewide rate enhancement to non-state operated public residential health care facilities for services provided. IGT revenue is included in non-operating revenues and totaled \$5,796,520 and \$0 for the years ended December 31, 2008 and 2007, respectively.

Note H - Pension

Plan Description

The County (and the Facility as a fund of the County) participates in the New York State and Local Employees' Retirement System and the Public Employee's Group Life Insurance Plan (the Systems). These are cost-sharing multiple-employer retirement systems. The Systems provide retirement benefits as well as death and disability benefits. Obligations of employers and employees to contribute and benefits to employees are governed by the New York State Retirement and Social Security Law (NYSRSSL). As set forth in the NYSRSSL, the Comptroller of the State of New York (Comptroller) serves as sole trustee and administrative head of the Systems. The Comptroller shall adopt and may amend rules and regulations for the administration and transaction of the business of the Systems and for the custody and control of their funds. The Systems issue a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to the New York State and local Retirement Systems, Gov. Alfred E. Smith State Office Building, Albany, NY 12244.

Funding Policy

The Systems are noncontributory except for employees who joined the New York State and Local Employees' Retirement System after July 27, 1976 who contribute 3% of their salary. Under the authority of the NYSRSSL, the Comptroller shall certify annually the rates expressed as proportions of payroll of members, which shall be used in computing the contributions required to be made by employers to the person accumulation fund.

The County is required to contribute at an actuarially determined rate. The required contributions for the Facility for the current year and two preceding years were:

2008	2007	2006
\$ 521,022	\$ 547,663	\$ 623,162

Contributions made to the Systems were equal to 100 percent of the contributions required for each year.

**GENESEE COUNTY NURSING HOME
(AN ENTERPRISE FUND OF GENESEE COUNTY)
Batavia, New York**

NOTES TO FINANCIAL STATEMENTS

Note I - Other Post Employment Benefits

The County is a participating employer in the New York State Health Insurance Program which is administered by the State of New York as an agent multiple employer defined benefit plan (the Plan). The Plan provides medical and prescription drug insurance benefits for retirees, spouses, and their covered dependents with the retirees paying 100% of the premium equivalent rate. The County prospectively implemented GASB 45, *Accounting and Financial Reporting by Employers for Post Employment Other than Pensions*, in the current fiscal year. Prior to adoption, other post employment benefit (OPEB) provisions were recorded on a pay-as-you-go basis. Actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of events in the future. Examples include assumptions about employment mortality and the healthcare cost trend. Amounts determined regarding the annual required contributions of the employer are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future. Other post employment benefit obligations recorded in the accompanying financial statements as of December 31, 2008 and 2007 were \$30,736 and \$-0-, respectively.

Note J - Concentrations

The employees of the Facility are unionized under Local 819 between the Genesee County Nursing Home Unit and the Genesee County General Unit. The Facility has reached agreements with the union extending the Nursing Home Unit and General Unit contracts through December 31, 2009 and 2010, respectively. The union represents greater than 90% of the Facility's workforce.

[illegible]

						2007	2008	2009	2010	
	Revenue		Account Number							
Rates	Department Income									
295	Private	RHCF	1000	3021	1000	2,321,400	2,254,450	2,496,600	2,584,200	
378	Medicare	RHCF	1000	3023	1000	1,028,750	1,710,400	1,497,960	1,033,680	
83	Medicare		5521	5554	1000	409,200	386,496	352,152	290,832	
173	Medicaid	RHCF	1000	3024	1000	11,812,887	12,926,752	12,496,205	13,436,300	Medicaid Includes: +\$508,000 Assessment
-122	Medicaid		5521	5552	1000	(4,174,395)	(5,490,000)	(4,926,624)	(5,486,096)	1/1/10-3/31/10 Rate = \$173 (Estimate)
160	Private	DOM	1000	3060	4000	1,006,340	1,021,860	724,160	654,080	4/1/10-12/31/10 Rate = \$163 (Estimate Regional Rate)
120.55	PHC	DOM	1000	3064	4000	2,843,680	2,964,600	2,670,340	2,616,320	Negative impact (\$337,260)
-39.45	PHC	DOM	5521	5552	4000	(531,971)	(674,941)	(260,445)	(395,020)	
96	Private	ADC	1000	3080	3000	13,500	25,000	20,000	5,000	
94	Medicaid	ADC	1000	3081	3000	250,650	125,000	140,000	127,746	
	Other Revenue Ancillary		1000			515,000	515,000	458,000	462,100	
	Other Revenue	Diet	1000			65,000	65,000	67,000	67,000	
	Department Income		Budget			15,563,041	15,829,617	15,735,348	15,396,142	
	Public Grant						0	0		
	CNA Training/Certification Reimbursement						11,500	2,500		*No CNA Trainees in Budget
	Interest Income					15,000	8,000	4,000	8,000	
	Misc Local Sources					20,000	12,000	8,000	24,500	*Rebates from grp purchasing
	Child Day Care					260,000	273,000	275,000	283,250	
	HCRA-R&R	Nursing				55,806	32,550	30,000	0	
	NYS Qual Imp Dem					0	0	0	0	
			Budget			350,806	325,550	328,500	318,250	
	Revenue		Budget			15,913,847	16,155,167	16,063,848	15,714,392	
	Expenses									
	Personnel Services									
	Nursing	DON	6011	6031		71,645	73,543	74,558	74,758	

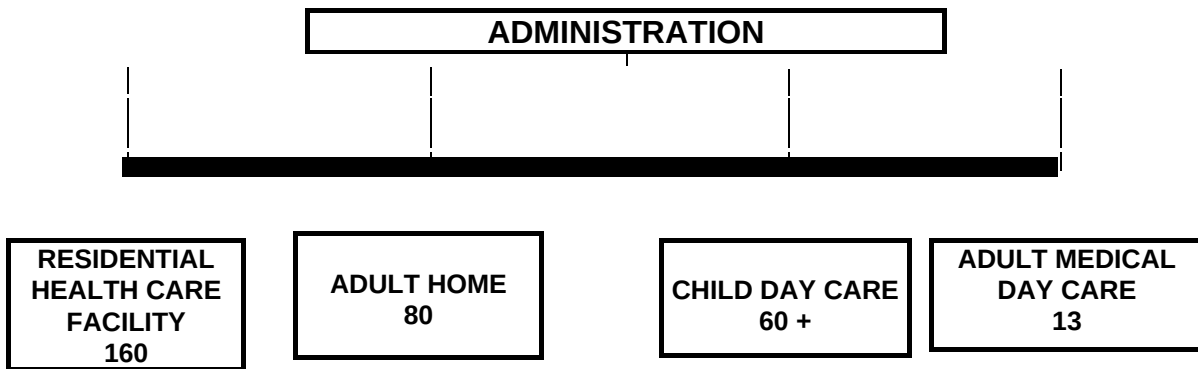
						2007	2008	2009	2010	
	Nursing	Unit Mgrs.	6011	6032		439,017	463,803	466,708	463,761	
	Nursing	ADON	6011	6033		58,272	61,257	62,679	62,679	
	Nursing	QA	6011	6034		51,488	54,715	55,798	55,798	
	Nursing	MDS-NUM	6011	6035		42,614	51,922	53,628	53,628	
	Nursing	RN Staff	6011	6037		717,530	734,270	708,474	674,762	
	Nursing	RN Staff	6011	6037	Dom		71,203	76,878	78,090	
	Nursing	LPN Staff	6011	6039		818,654	722,842	732,349	744,499	
	Nursing	LPN Staff	6011	6039	ADC		38,671	40,703	41,075	
	Nursing	LPN Staff	6011	6039	Dom		100,304	104,808	108,937	
	Nursing	CNA	6011	6045		1,839,241	1,945,515	2,072,312	2,143,717	**Budgeted total Avail hrs/No CNA trainees
	Nursing	CNA	6011	6045	ADC		28,630	25,143	25,985	
	Nursing	CNA(Dom)	6011	6047		585,838	647,025	658,627	620,244	
	Nursing	Clerk	6011	6048		39,865	41,954	43,793	44,193	
	Nursing	Chauffeur	8270	8271		10,424	11,306	11,306	11,306	
	Activities	Director	7260	7261		38,798	39,858	39,468	39,468	
	Activities	Aides	7260	7262		132,344	128,066	135,833	133,156	
	Activities	Aides	7260	7262	Dom		24,582	25,191	25,445	
	PT	Aides	7330	7331		68,597	59,476	44,890	46,116	
	OT	Aides	7340	7341		68,727	73,455	45,020	23,318	
	Social Services	Sr. SWA	7380	7381				41,284	42,321	
	Social Services	SWA	7380	7381		139,514	122,125	77,656	81,668	
	Social Services	SWA	7380	7381	Dom		43,181	43,378	44,443	
	Medical Records	MRT	7390	7391		26,485	30,769	33,232	34,067	
	Medical Records	Clerical	7390	7392		123,198	121,293	107,015	112,387	
	Medical Records	Clerical	7390	7392	Dom		24,904	25,002	25,633	
	Medical Staff	Medical D	7420	7421		94,151	96,782	107,690	107,690	
	Medical Staff	Staff Physi	7420	7422		11,878	16,280	18,393	18,393	
	Maintenance	Staff	8220	8222		173,554	198,603	198,301	195,413	
	Housekeeping	Sr. Cust. V	8240	8241		58,220	66,024	67,974	72,790	
	Housekeeping	Cleaners	8240	8242				359,134	369,788	
	Housekeeping	IA	8240	8243	Dom	48,525	52,735	26,141	27,412	
	Housekeeping	Cleaners	8240	8242	Dom	341,189	359,365	24,950	26,996	
	Laundry	Supply Cle	8250	8251		23,636	27,541	30,390	31,329	
	Laundry	Laundry w	8250	8252		74,952	82,265	82,170	80,482	
	Administration	Administra	8350	8351		91,333	93,831	94,535	94,535	
	Administration	Controller	8350	8352		58,527	61,553	62,281	62,282	
	Administration	Adm-Clerk	8350	8353		287,832	309,816	297,336	304,107	
	Administration	AdmCoord	8350	8355		40,612	41,249	41,800	45,851	

						2007	2008	2009	2010	
	Administration	AdHomeD	8350	8352		49,973	53,993	55,073	55,073	
	Additional amt per County Manager					458,360				
	Personnel Services				Budget	7,084,993	7,174,706	7,271,901	7,303,595	**Includes 2% inc for 6mo in 2010 for NH Unit and 2.5% for Gen Unit (1% 2009/1.5% 2010)
	Program Svcs by Department									
	Nursing		6011			315,000	388,700	422,850	504,700	*inc due to agency fees RN =\$34,000/ LPN =\$20,000, also inc in stock drugs
	Lab (Mcr A Svcs)		7210			35,000	30,000	30,000	32,000	
	X-ray(Mcr A Svcs)		7240			15,000	15,000	15,000	15,000	
	Activities		7260			15,465	15,940	17,725	18,875	
	Pharmacy		7270			242,200	370,200	363,464	344,500	
	Podiatry		7280			500	500	400	400	
	Dental		7290			30,000	30,900	31,518	33,094	
	Psychiatric Svcs		7310			12,000	12,000	12,000	12,000	
	PT		7330			225,400	225,700	229,397	238,800	**No Increase of pay rates in 7 years
	OT		7340			214,200	214,500	223,700	233,700	**No Increase of pay rates in 7 years
	Speech		7350			9,900	9,900	21,900	22,200	
	Social Services		7380			3,675	4,800	4,570	7,960	
	Medical Records		7390			3,550	2,900	3,150	14,190	
	Medical Staff		7420			67,000	68,000	42,120	40,000	
	Dietary		8210			1,675,835	1,768,800	1,830,440	1,869,857	
	Maintenance		8220			611,500	643,940	689,550	674,675	
	Grounds		8225			1,000	1,200	1,500	1,900	
	Housekeeping		8240			95,300	107,900	130,250	135,730	
	Laundry		8250			282,700	282,800	295,146	292,600	
	Security		8260			83,900	84,268	84,038	86,559	
	Ambulance(Mcr A)		8270			6,000	2,000	5,000	5,000	
	Administration		8350			504,747	508,618	674,460	762,736	**County Wd Cost Alloc \$508,012 increase of \$133,666
	Volunteers		8354			125	125	125	125	
	Assessment		9000			536,785	552,889	569,476	586,560	
	Program Services				Budget	4,986,782	5,341,580	5,697,779	5,933,161	
	Employee Benefits				Budget	2,907,761	2,845,424	2,913,093	3,261,419	**Increase in W/C, Retirement, Health Ins

						2007	2008	2009	2010	
	Equipment		Budget			156,371	123,016	256,250	318,400	**Increase due to roof repair
	Assessment Depreciation							37,941	35,000	
	Assessment Interest Exp							3,359	5,307	
	Lease On Obligations, Phase I Principal					176,108	186,340	197,166	208,621	
	Lease On Obligations, Phase I Interest					116,542	106,310	95,484	84,029	
	Lease On Obligations, Phase II Principal					157,826	166,285	175,198	184,589	
	Lease On Obligations, Phase II Interest					108,207	99,748	90,835	81,444	
	Bonds On Obligations, Phase II Principal					440,000	460,000	485,000	515,000	
	Bonds On Obligations, Phase II Interest					247,975	227,725	206,462	183,962	
	RAN payment (April 2009)					92,000	64,980	34,020	0	
	Child Day Care					260,000	273,000	275,000	283,250	
	Expenses		Budget			16,734,566	17,069,114	17,739,488	18,397,777	
	Net Income/Expense		Budget			(820,719)	(913,947)	(1,675,640)	(2,683,385)	
	Non operating	IGT				100,000	0	1,042,475	2,185,000	2009 IGT to be Paid in 2010
	Fund Balance offset							112,279		
	Net (County Subsidy)					(720,719)	(913,947)	(520,886)	(498,385)	

GENESEE COUNTY NURSING HOME

ORGANIZATIONAL CHART



Mission

The Genesee County Nursing Home is a flexible, multi-service organization that provides quality long term care through the coordination of services, including medical and social, outpatient and residential to folks of all ages, from all backgrounds; staffed by dedicated employees, operating in a fiscally responsible manner, we help to improve the quality of life for the residents of Genesee County.

2009 Accomplishments

1. Successful Department of Health survey that was completed on July 30th. We had minimum deficiencies with no severity concerns. DOH complimented our overall operation.
2. Maintained our occupancy percentage in the Nursing Home facility. Our 12 bed Rehab Unit continues to attract admissions and maintains a positive reputation in the community.
3. Completion of annual financial audit with Rotenberg; noting resolution of last year's issues from the management letter and having minimum issues noted for 2008 financial statement.
4. Successful on-time completion of our cost reports (Medicare/Medicaid). 100 facilities in NYS failed to make the July 17, 2009 deadline for the submission of the 2008 Medicaid cost report.
5. Establishment of a contract with Evercare; a Medicare HMO. This contract should result in increase in Medicare days and enhance our physician services (full-time nurse practitioner). Finalization of this contract should be completed by October 2009.
6. Finalization of the RFP process for accounting services for the Nursing Facility for the fiscal years 2009/2010. Resolution establishing a contract for the new accounting firm should be completed by September 9, 2009.
7. Finalization of the project to reconnect to the power grid. Engineering services have been established, with final construction and reconnection occurring in November/December 2009.
8. Being a member of Seagate, a group purchasing program, we have realized substantial savings in our dietary programs (new milk contract, US Foods), and nursing supplies (conversion to new adult brief - \$20,000 annual savings).
9. Purchased software and computers for our Rehab Department which will improve the billing, documentation, and efficiency of our therapy services.
10. Negotiated a new contract (9/2009 – 9/2010) with our laundry service (Angelica) at a minimum increase in cost.
11. Enacted the Action Plan recommended from our Corporate Compliance Audit (Bonadio Group).
12. Installed new carpeting in the front lobby by our own Maintenance Department at a substantial savings vs. having it installed by a carpeting contractor.

2010 Goals

1. Maintain and improve our resident care as demonstrated by our survey results with the New York State Department of Health.
2. Continue to maintain our occupancy levels for the Nursing Home in order to meet our budget estimates. For the Domiciliary, look into different alternatives to maximize revenue opportunities.
3. Investigate opportunities in our reconnection to the power grid in order to take advantage of utilities strategies for cost savings.
4. Continue to monitor Quality Indicators through our MDS software that can target Quality Assurance activities for resident care improvements.
5. Actively participate in State Association activities in order to inform elected officials of long term care issues; especially the deficiencies in Medicaid reimbursement.
6. Investigate software systems and make recommendations regarding electronic medical records for our long term care operation.
7. Assist county officials in the determination of this facility's future regarding county ownership.

DEPARTMENT: Nursing Home

OVERALL DEPARTMENT DESCRIPTION

The Genesee County Nursing Home provides a variety of specialized Residential and Day Care services to residents of all ages from Genesee County. Not only is exceptional long-term care provided to our citizens in their home town, but the entire Nursing Home operation provides approximately 300 jobs. The impact to the local economy by the Facility's \$17.1 million dollar budget is quite significant.

BUDGET SUMMARY

	<u>Budgeted 2009</u>	<u>Budgeted 2010</u>
Salary/Fringe	10,271,262	10,565,014
Contractual (inc. Child Day Care)	5,995,659	6,216,411
Equipment	<u>196,250</u>	<u>318,400</u>
Total Operating Expense	16,463,171	17,099,825
Principal on Debt	857,364	908,210
Interest on Debt	426,801	349,435
Assessment Deprec.	37,941	35,000
Assessment Int. Exp.	<u>3,359</u>	<u>5,307</u>
Total Debt Expense	1,325,465	1,297,952
Total Expense	17,788,636	18,397,777
Patient Revenues	15,929,710	15,329,142
Other Revenues*	<u>384,000</u>	<u>385,250</u>
Total Revenues	16,313,710	15,714,392
IGT		<u>2,185,000</u>
		17,899,392
Gain/(Loss)	(1,474,926)	(498,385)
FTE's	210	207

* Other Revenues include: Dietary, CDC, Misc.

Occupancy Rates

	<u>Budgeted 2009</u>	<u>Budgeted 2010</u>
Nursing Home	98%	98%
Adult Home/DOM	82%	70%
Medical Adult Day Services	65%	55%
Child Day Care	100%	100%

DEPARTMENT: Nursing Home
DIVISION: Residential Health Care Facility (Nursing Home)

DIVISION DESCRIPTION

The largest division of our four divisions consists of 160 Skilled Nursing beds, divided into 5 units, three 40 bed units, one 28 bed Memory Unit, and one 12 bed Sub-acute Rehab. These areas are staffed according to resident need. Throughout the last few years, this area has been occupied at a rate of 98+%. The Medicaid population made up 75+/-% of this amount with the balance being Medicare and Private.

BUDGET HIGHLIGHTS

Revenues for 2010 include Intergovernmental Transfer (IGT) monies that should have been received in 2009. This figure is based on the \$150 million that will be divided among all county facilities in New York State based on 2007 Medicaid days. While we should be eligible for IGT in 2010, we have omitted it from our budget projection. Percentage of the 2009 IGT is 62% Federal, 38% County matching. As of April 1, 2010, New York State will be changing the Medicaid reimbursement for nursing homes to a regional average rate based on the 2007 cost report. All estimates at this time indicate that the change will have no negative effect on our Medicaid revenue (\$70,000+). The Gross Receipts Assessment tax continues at 6%. Operational expenses, especially Personnel, will be constantly reviewed to minimize increases. Use of group purchasing contracts will be extensively used to maximize purchasing savings.

INDICATORS

	<u>Budgeted 2009</u>	<u>Budgeted 2010</u>
Occupancy Rate	98%	98%
Daily Private	\$ 285	\$ 295
Daily Medicare	\$ 352	\$ 378
Daily Medicaid	\$ 162	\$173 (1/1/10-3/31/10) \$163 (4/1/10-12/31/10)

DEPARTMENT: Nursing Home
DIVISION: Adult Home (The Domiciliary)

DIVISION DESCRIPTION

Providing one-half of the Adult Home capacity, the specialized 40-bed 2nd Floor Memory Care unit/program continues to develop. Alzheimer's Association dementia specific staff training has been ongoing. This State-approved dementia program is unique in that no other local provider offers these services. The 3rd Floor traditional Adult Home unit continues to provide experienced high quality care.

BUDGET SUMMARY

Appropriations

	<u>Budgeted 2009</u>	<u>Budgeted 2010</u>
Salary/Fringe	1,698,841	1,722,783
Equipment	43,300	22,200
Contractual	<u>1,430,165</u>	<u>1,437,141</u>
Total Appropriations	3,172,306	3,182,124
Revenue	<u>3,390,309</u>	<u>2,875,380</u>
Gain/(Loss)	218,003	(306,744)
FTEs	33	32

BUDGET HIGHLIGHTS

During 2009, the Domiciliary continued to have difficulty maintaining budget census. We have not reached 82% (66 residents) during the budget period. Our projection for 2010 will be at 70% (56 residents) with a PHC rate of \$117 per day (majority of residents are on Medicaid). Domiciliary residents are frequently transferred to the nursing home due to their decline and need for additional nursing services. Attachment A is a more extensive review of the Domiciliary operation and alternatives that may be explored.

INDICATORS

	<u>Budgeted 2009</u>	<u>Budgeted 2010</u>
Occupancy Rate	82%	70%
Daily Private Rate	\$155	\$160
Daily PHC Rate	\$119	\$117

DEPARTMENT: Nursing Home
DIVISION: Adult Day Services

DIVISION DESCRIPTION

As an outpatient program, the community demand for this level of care varies throughout the year. The program, offered five days per week, Monday - Friday, allows individuals the opportunity to live in their own homes while receiving necessary medical services.

BUDGET HIGHLIGHTS

The program is funded at 65% of our Medicaid rate.

<u>INDICATORS</u>	<u>Budgeted 2009</u>	<u>Budgeted 2010</u>
Registrant Occupancy	65%	55%
Daily Private Rate	\$94	\$95
Daily Medicaid Rate	\$92	\$92

DEPARTMENT: Nursing Home
DIVISION: Child Day Care Center

DIVISION DESCRIPTION

This program is subcontracted to the Childcare Network of the Niagara Frontier. There are 45 licensed slots serving children from 6 weeks to 5 years of age, there were 60+ registrants at year end; approximately 7 of the children have parents who work for Genesee County. Although most of these registrants use the program full time, there are children who participate on a part-time and casual drop-in basis. There continues to be a waiting list for the Center. Program fees were raised on January 1st by approximately 3%. Payroll increases were given on April 1st at 1–2.7%.

BUDGET HIGHLIGHTS

Occupancy remains extremely high. The program is no longer a “break even” operation.

<u>INDICATORS</u>	<u>Budgeted 2009</u>	<u>Budgeted 2010</u>
Total Program Cost	\$275,000	\$283,250
Occupancy	100%	100%

PRODUCER

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A:

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURANCE LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY ☐ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY ☐ ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	EXCESS/UMBRELLA LIABILITY ☐ OCCUR ☐ CLAIMS MADE ☐ DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				☐ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL _____ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

INSTRUCTIONS FOR COUNTY OF GENESEE STANDARD INSURANCE CERTIFICATE

- I. Insurance shall be procured and this certificate delivered before commencement of work or delivery of merchandise or equipment.
- II. CERTIFICATES OF INSURANCE
 - A. Shall be made to the County of Genesee Purchasing Director
 - B. Shall evidence coverage of compliance with all specifications in the contract.
 - C. Shall be executed by an insurance company and/or agency, which is licensed by the Insurance Department of New York State. If executed by a broker, notarized copy of authorization to bind or certify coverage must be attached.
- III. The “ACCORD” form certificate may be used, providing the following two additional conditions (A&B) are added to the form, verbatim:
 - A. County of Genesee to be named as additional insured.
 - B. CANCELLATION NOTICE: Prior to non-renewal or material change in policy or cancellation of these policies, at least forty five (45) days advance written notice shall be given to the County of Genesee Purchasing Director.
- IV. Forward the completed certificate to County of Genesee Purchasing Director.
- V. Minimum coverage with limits are as follows:

VENDOR CLASSIFICATION	A Construction & Maintenance	B Purchase of Lease of Merchandise or Equipment	C Professional Services	D Property Leased to Others Or Use of Facilities or Grounds	E Concessionair e Services	F Livery Services	G All Purpose Public Entity Contracts
COMP. GENERAL LIABILITY	\$1,000,000 CSL \$2,000,000 Aggregate	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL
- Prem. & Ops.	INCLUDE	***	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
- Prods. & Compl. OPS	INCLUDE	***	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
- Independent Contractor	INCLUDE	***	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
- Contractual	INCLUDE	***	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
- Broad Form Property Damage	INCLUDE	Comprehensive Form not Required	***	***	***	***	***
- X, C, U	INCLUDE	Comprehensive Form not Required	***	***	***	***	***
- Personal Injury	**	Comprehensive Form not Required	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
AUTO LIABILITY	\$1,000,000 CSL	***	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL
- Owned	INCLUDE	***	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
- Hired	INCLUDE	***	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
- Non-Owned	INCLUDE	***	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Excess or Umbrella Liability	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Workers Comp. & Employers Liab	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	***
DISABILITY BENETITS	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	***
PROFESSIONAL LIABILITY	***	***	\$1,000,000	***	***	***	***
County to be named Additional Insured on	GL-AL EXCESS	Broad Form Vendors May be Required	GL-AL Excess Prof.	GL-AL Excess	GL-AL Excess	GL-AL Excess	GL-AL Excess

***Snow removal contracts require evidence of broad form property damage.

VL – In some circumstances it will be necessary to require alternate coverage and limits which will be defined in the bid specifications, contract, lease or agreement. The alternate coverage and limits should be evidenced on the certificate in lieu of the standards printed above.

New Workers Compensation Forms (WC/DB-100 & WC/DB-101) are available on the Board’s Website – www.wcb.state.ny.us under the heading “Common Forms Online”

WORKERS' COMPENSATION REQUIREMENTS UNDER WORKERS' COMPENSATION LAW §57

To comply with coverage provisions of the Workers' Compensation Law ("WCL"), businesses must:

- A) be legally exempt from obtaining workers' compensation insurance coverage; or
- B) obtain such coverage from insurance carriers; or
- C) be a Board-approved self-insured employer or participate in an authorized group self-insurance plan.

To assist State and municipal entities in enforcing WCL Section 57, businesses requesting permits or seeking to enter into contracts **MUST provide ONE** of the following forms to the government entity issuing the permit or entering into a contract:

- A) CE-200, Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage;

Starting December 1, 2008, Form CE-200 can be filled out electronically on the Board's website, www.wcb.state.ny.us, under the heading "Forms." Applicants filing electronically are able to print a finished Form CE-200 immediately upon completion of the electronic application. Applicants without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers' Compensation Board. Applicants using the manual process may wait up to four weeks before receiving a CE-200. Once the applicant receives the CE-200, the applicant can then submit that CE-200 to the government agency from which he/she is getting the permit, license or contract.
OR

- B) C-105.2 -- Certificate of Workers' Compensation Insurance (the business's insurance carrier will send this form to the government entity upon request) **PLEASE NOTE:** The State Insurance Fund provides its own version of this form, the U-26.3; **OR**

- C) SI-12 -- Certificate of Workers' Compensation Self-Insurance (the business calls the Board's Self-Insurance Office at 518-402-0247), **OR** GSI-105.2 -- Certificate of Participation in Worker's Compensation Group Self-Insurance (the business's Group Self-Insurance Administrator will send this form to the government entity upon request).

DISABILITY BENEFITS REQUIREMENTS UNDER WORKERS' COMPENSATION LAW §220(8)

To comply with coverage provisions of the WCL regarding disability benefits, businesses may:

- A) be legally exempt from obtaining disability benefits insurance coverage; or
- B) obtain such coverage from insurance carriers; or
- C) be a Board-approved self-insured employer.

Accordingly, to assist State and municipal entities in enforcing WCL Section 220(8), businesses requesting permits or seeking to enter into contracts **MUST provide ONE** of the following forms to the entity issuing the permit or entering into a contract:

- A) CE-200, Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage;

Starting December 1, 2008, Form CE-200 can be filled out electronically on the Board's website, www.wcb.state.ny.us, under the heading "Forms." Applicants filing electronically are able to print a finished Form CE-200 immediately upon completion of the electronic application. Applicants without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers' Compensation Board. Applicants using the manual process may wait up to four weeks before receiving a CE-200. Once the applicant receives the CE-200, the applicant can then submit that CE-200 to the government agency from which he/she is getting the permit, license or contract.
OR

- B) DB-120.1 -- Certificate of Disability Benefits Insurance (the business's insurance carrier will send this form to the government entity upon request); **OR**

- C) DB-155 -- Certificate of Disability Benefits Self-Insurance (the business calls the Board's Self-Insurance Office at 518-402-0247).

Please note that **for building permits ONLY**, certain homeowners of 1, 2, 3 or 4 family owner-occupied residences serving as their own General Contractor may be eligible to file Form BP-1 (The homeowner obtains this form from either the Building Department or on the Board's website, www.wcb.state.ny.us, under the heading "Forms.")