

**79888**

**DATE:** October 2, 2020

**TO:** Board of Acquisition and Contract

**FROM:** Sherlita Amler, M.D.  
Commissioner of Health

**RE:** Authorization to enter into a Contract Amendment with the New York State Department of Health for the Special Supplemental Nutrition Program for Women, Infants & Children (WIC) Grant to extend the contract period and increase the not-to-exceed amount, pursuant to an approved budget, and to defend and indemnify the New York State Department of Health, as follows and described below:

**Original Contract**

Multi-Year Term: 10/01/15 - 09/30/20  
Total Amount Not-To-Exceed: \$13,706,545

**Amended Contract**

Multi-Year Term: 10/01/15 - 09/30/22  
Total Amount Not-To-Exceed: \$18,990,291

On July 29, 2015, your Honorable Board approved a Resolution (the "July 29, 2015 Resolution") which authorized the County of Westchester ("County"), acting by and through its Department of Health ("WCDH"), to enter into a contract with the New York State Department of Health ("NYSDOH") to accept continued funding for the Special Supplemental Nutrition Program for Women, Infants & Children (WIC) Grant, for the period from 10/01/15 through 09/30/20, in the amount not-to-exceed \$13,706,545, pursuant to an approved budget. The original multi-year agreement has been executed.

The NYSDOH has sent notification that the period of the original multi-year agreement will be extended through 9/30/22 and additional funding in the amount not-to-exceed \$5,283,746 will be added to the original agreement amount.

Therefore, the WCDH now seeks authorization to enter into a contract amendment with the NYSDOH for the Special Supplemental Nutrition Program for Women, Infants & Children (WIC) Grant in order to extend the period through 9/30/22 and increase the total amount not-to-exceed by \$5,283,746, pursuant to an approved budget, for the revised total amount not-to-exceed \$18,990,291.

The amendment will also require the County to indemnify the New York State Department of Health as follows:

"The Contractor shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the Contractor or its subcontractors pursuant to this Master Contract. The Contractor shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the Master Contract."

The public purpose of this grant is to promote the public health and general welfare of County residents by ensuring that low-income women, infants and children at nutrition risk have access to nutritious foods and other services to support proper growth and development.

The goal of the program is to improve the nutrition and health status of eligible pregnant, postpartum and breastfeeding women, infants and children up to the age of five through services that include the provision of nutritious foods, nutrition/health education and counseling, breastfeeding promotion and support, and referral to other health and human service programs.

These efforts serve to safeguard the health of women, infants and children at high risk that would otherwise have no or limited access to nutritious food and health education, thus improving birth outcomes and child development.

The program is monitored and managed on an ongoing basis through a number of program reports in accordance with the NYS WIC Program including monthly caseload and certification productivity reports. The NYSDOH assigned caseload target for 2020 is 8,100 participants.

All other terms and conditions of the original agreement shall remain unchanged.

Your approval of the attached resolution is respectfully requested.

/mv  
Attachment

# RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF HEALTH, be it hereby

**RESOLVED,** that the County of Westchester ("County"), acting by and through its Department of Health, is authorized to enter into a contract amendment with the New York State Department of Health for the Special Supplemental Nutrition Program for Women, Infants & Children (WIC) Grant in order to extend the agreement period and increase the amount not to exceed by \$5,283,746, pursuant to an approved budget, as follows:

**Original Contract**

Multi-Year Term: 10/01/15 - 09/30/20  
Total Amount Not-To-Exceed: \$13,706,545

**Amended Contract**

Multi-Year Term: 10/01/15 - 09/30/22  
Total Amount Not-To-Exceed: \$18,990,291;

and, be it further

**RESOLVED,** that the contract amendment will also require the County of Westchester to indemnify the New York State Department of Health as follows:

"That the Contractor shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the Contractor or its subcontractors pursuant to this Master Contract. The Contractor shall indemnify and hold harmless the State and its officers and employees from claims, suits, actions, damages and cost of every nature arising out of the provision of services pursuant to the Master Contract"; and, be it further

**RESOLVED,** that all other terms and conditions of the original agreement shall remain unchanged; and, be it further

**RESOLVED,** that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

Department of Health  
County of Westchester  
10 County Center Road, 2<sup>nd</sup> Floor  
White Plains, New York 10607

Original Agreement	\$13,706,545
First Amendment	\$
<b>This Amendment</b>	<b><u>\$5,283,746</u></b>
TOTAL	<u>\$18,990,291</u>

Account to be Charged/Credited					
	Dept.	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
263	27	484V	9853	T484	\$2,559,975
263	27	484V	9854	T484	\$81,898
263	27	484W	9853	T484	\$2,559,975
263	27	484W	9854	T484	\$81,898

Budget Funding Year(s) (must match resolution) 2020 -2022 Start Date 10/01/2020 End Date 09/30/2022

Funding Source	Tax Dollars	_____
	State Aid	<u>NYSDOH-\$163,796</u>
<b>\$5,283,746</b>	Federal Aid	<u>Pass Thru NYSDOH-\$5,119,950</u>
(must match resolution)	Other	_____