

89357

DATE: December 6, 2021

TO: Board of Acquisition and Contract

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

RE: Authorization to enter into a third Contract Amendment with the New York State Department of Health for the Healthy Neighborhoods Program Grant to further 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:

Second Contract Amendment

Multi-Year Term: 07/01/15 - 03/31/21
Total Amount Not-To-Exceed: \$1,812,060

Third Contract Amendment

Multi-Year Term: 07/01/15 - 03/31/22
Total Amount Not-To-Exceed: \$2,085,660

On May 9, 2019, your Honorable Board approved a Resolution (the "May 9, 2019 Resolution") which authorized the County of Westchester ("County"), acting by and through its Department of Health ("WCDH"), to enter into a contract amendment with the New York State Department of Health ("NYSDOH") for the Healthy Neighborhoods Program Grant to extend the agreement period from April 1, 2019 through March 31, 2020 and increase the total amount not-to-exceed by \$300,960, pursuant to an approved budget, for the revised total amount not-to-exceed \$1,538,460. This amendment has been executed.

On April 23, 2020, your Honorable Board approved a Resolution (the "April 23, 2020 Resolution") which authorized the County, acting by and through its WCDH, to enter into a second contract amendment with the NYSDOH for the Healthy Neighborhoods Program Grant to extend the agreement period from April 1, 2020 through March 31, 2021 and increase the total amount not-to-exceed by \$273,600 pursuant to an approved budget, for the revised total amount not-to-exceed \$1,812,060. This amendment has been executed.

The WCDH was recently notified that the NYSDOH would be further extending the HNP agreement for one more year, from 4/1/2021 through 03/31/2022, with the addition of \$273,600 in funding.

Therefore, the WCDH now seeks authorization to enter into a third contract amendment with the NYSDOH for the Healthy Neighborhoods Program ("HNP") Grant in order to further extend the agreement period from April 1, 2021 through March 31, 2022 and increase the total amount not-to-exceed by \$273,600, pursuant to an approved budget, for the revised total amount not-to-exceed \$2,085,660.

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."

This program promotes the public health and welfare of County residents through prevention or reduction of asthma related hospitalizations, health effects of tobacco and second hand smoke among household residents, residential fire deaths, childhood lead poisoning, and the improvement of indoor air quality within these residential dwellings.

Program objectives and goals include decreased asthma-related illnesses through the dissemination of preventive health information; reduction of tobacco use; reduction of incidence of home fire-related deaths; reduction of blood lead levels greater than ten micrograms in children ages one to six years. Through this program the WCDH gathers environmental, health and general demographic information which supports the continued assessment and monitoring of the health status of Westchester County residents.

The WCDH tracks and monitors this program by completion of a Home Intervention Survey Form for each on-site housing assessment and compiling statistical data which is entered into the electronic HNP data reporting system as well as reporting activity on a quarterly basis to the NYSDOH.

I certify that my department, a.) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b.) has reviewed the Grant Terms, c.) is aware of and understands all of the Grant Terms, and d.) can and will comply with all of the Grant Terms.

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

Your approval of the attached resolution is respectfully requested.

/mv
Attachment

RESOLUTION

UPON A COMMUNICATION THE COMMISSIONER OF HEALTH, be it hereby

RESOLVED, that the County of Westchester is authorized to enter into a third contract amendment with the New York State Department of Health for the Healthy Neighborhoods Program grant in order to further extend the agreement period and increase the amount not to exceed by \$273,600, pursuant to an approved budget, as follows:

Second Contract Amendment

Multi-Year Term: 07/01/15 - 03/31/21
Total Amount Not-To-Exceed: \$1,812,060

Third Contract Amendment

Multi-Year Term: 07/01/15 - 03/31/22
Total Amount Not-To-Exceed: \$2,085,660;

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 as amended 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.

Original Agreement	\$1,237,500
First Amendment	\$ 300,960
Second Amendment	\$ 273,600
<u>This Amendment</u>	<u>\$273,600</u>
TOTAL	\$2,085,660

Agreement #

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub- Object	Trust Account	Dollars
263	27	516W	9853	T516	\$273,600

Budget Funding
Year(s)
(must match
resolution)

2021-2022 Start Date 04/01/21 End Date 3/31/22

Funding Source

Tax Dollars _____
State Aid _____
Federal Aid Federal pass thru NYSDOH
Other _____

\$273,600

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/06/2022 - RAYMOND SCULKY, SECRETARY