

111149**DATE:** May 16, 2025**TO:** Board of Acquisition and Contract**FROM:** Sherlita Amler, M.D.
Commissioner of Health**RE:** Authorization to enter into a first Amendment to an Agreement with the New York State Department of Health to accept additional funding for the Special Supplemental Nutrition Program for Women, Infants & Children Grant Program for the period commencing on 10/01/23 and continuing through 9/30/28, for a total amount not-to-exceed \$15,206,000, by increasing the funding for the third funding period of 10/01/25 through 9/30/26 in the amount not-to-exceed of \$195,981, pursuant to an approved budget, for a new five-year total amount not-to-exceed \$15,401,981

The County of Westchester ("County"), acting by and through its Department of Health ("WCDH"), seeks authorization to enter into a first amendment to an agreement with the New York State Department of Health ("NYSDOH") to accept additional funding for the Special Supplemental Nutrition Program for Women, Infants & Children ("WIC") grant program, for the third funding period commencing on 10/01/25 and continuing through 9/30/26, in the amount not-to-exceed \$195,981, pursuant to an approved budget, for a new five year total amount not-to-exceed of \$15,401,981 ("First Amendment").

The WCDH was recently notified by the NYSDOH that it is awarding additional funding in the third period of 10/01/25 through 9/30/26 in the amount not-to-exceed \$195,981.

The First Amendment will also require the County to defend and indemnify the NYSDOH as follows:

"The Contractor ("County") 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 Program 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 the WCDH for the 2025 – 2026 period is 6,793 participants.

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 Agreement shall remain the same.

Approval of the attached resolution is respectfully requested.

/dc
Enc.

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/29/2025 - RAYMOND SCULKY, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (the "County") , acting by and through its Department of Health, is authorized to enter into a first amendment to an agreement with the New York State Department of Health ("NYSDOH") to accept additional funding for the Special Supplemental Nutrition Program for Women, Infants & Children ("WIC") grant Program for the period commencing on 10/01/23 and continuing through 9/30/28, in a total amount not-to-exceed \$15,206,000, by increasing the funding for the third funding period of 10/01/25 through 9/30/26 in the amount not-to-exceed of \$195,981, pursuant to an approved budget, for a new five-year total amount not-to-exceed \$15,401,981 ("First Amendment"); and, be it further

RESOLVED, that the First Amendment will require the County to defend and indemnify the NYSDOH as follows:

"The Contractor ("County") 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 Agreement shall remain the same; 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	\$15,206,000
First Amendment	\$
This Amendment	\$ 195,981
TOTAL	\$15,401,981

Agreement #C38274

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
	263	27	A484	9853	T484	\$ 195,981

Budget Funding Year(s)
(must match resolution) 2025-2026 Start Date 10/01/25 End Date 09/30/26

Funding Source	Tax Dollars	
	State Aid	
\$195,981	Federal Aid	Pass Thru NYSDOH \$
(must match resolution)	Other	

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