

<b>Contract Requirements</b>	<b>Contract Amendment</b>
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## PURPOSE

To ensure local agencies (LA) and the CDPH/WIC Division follow California State contract procedures when making changes to an existing contract.

## POLICY

Contract amendments may be initiated either by the CDPH/WIC Division or by the WIC local agency. An amendment is not effective until signed by both the CDPH/WIC Division and the WIC local agency. The contract amendment process for an existing contract is detailed below.

## REQUIRED PROCEDURE

### I. CDPH/WIC Division Initiated Amendment

The CDPH/WIC Division shall notify the WIC local agency, in writing, of a need for an amendment and will forward the appropriate documents and instructions.

Examples of a CDPH/WIC Division initiated amendment include, but are not limited to:

1. Increase or decrease to the budgeted amount, or
2. Increase or decrease in caseload.

### II. WIC Local Agency Initiated Amendment

A. A WIC local agency may submit a request for an amendment in writing to the CDPH/WIC Division Contract Manager. Examples of a WIC local agency initiated amendment include:

1. WIC local agency's legal name change:  
An amendment to the contract is required when a WIC local agency changes its legal name. The contract amendment will document the name change so the Contractor may receive invoice payments. A request must be submitted to the Contract Manager, in writing, on local agency letterhead and must be signed by the WIC Director.
  - a. Private Nonprofit Agency: The request to change the legal name of a private, non-profit agency must be submitted with:
    - 1) A completed Payee Data Record form (STD 204) and
    - 2) Proof of the legal name change (i.e., documentation filed with the Secretary of State's Office showing the new business name, Doing Business As (DBA) certification, or other documentation approved by a local agency's Board of Directors).

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- b. Local Government Agency: The request to change the legal name of a local government agency must be submitted with a completed Local Government Name Change form.
  
- 2. Budget Revision:
 

An amendment to the contract is required when a local agency needs to transfer funds from one budget line item to another during a budget year.

  - a. A request must be submitted to the Contract Manager, in writing, on local agency letterhead and must be signed by the WIC Director. The request must be submitted with detailed justification that explains the need for the amendment and why the funds need to be transferred. If the request is approved, the Contract Manager will send the budget forms to the WIC local agency for completion.
  
- 3. Change to Indirect Cost Rate Percentage:
 

An amendment solely for the purpose of changing the ICR percentage is not allowed. A contract’s ICR percentage may be changed only when an amendment for other business/programmatic reasons is made. If an amendment for an approved reason is made, the ICR percentage may be adjusted to the current ICR percentage at the time of the amendment. However the contract’s ICR application (i.e., Total Personnel Services Costs or Total Allowable Direct Costs) may not change for the life of the contract. A request must be submitted to their Contract Manager, in writing, on local agency letterhead and must be signed by the WIC Director.

**B. Amendment Process Steps**

- 1. The WIC local agency, if initiating an amendment, shall submit a request for an amendment in writing with the required documents to the CDPH/WIC Division Contract Manager by **March 1st** of the budget year for which the changes are requested. All amendment requests made after March 1st will be processed at the State’s discretion.
  
- 2. If required, the CDPH/WIC Division will send the appropriate budget worksheets by email to the WIC local agency for completion. The local agency will complete the budget worksheets and update the appropriate budget detail for the affected line items.
  
- 3. The amendment documents are reviewed by the Contract Manager and if approved the Contract Manager will notify the WIC Director of tentative approval.

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4. When the amendment is authorized by CDPH, the CDPH/WIC Division will email a PDF of the contract amendment originals to the WIC local agency for signature. The documents must be signed in blue ink by the person whose name is shown in the signature block for the contractor. If the correct person is not shown, the local agency must contact the CDPH/WIC Division Contract Manager to receive a corrected STD 213.
5. The WIC local agency keeps one (1) copy of the amendment and returns four (4) amendment copies with original signatures for processing. A government WIC local agency must include a copy of the Board Resolution approving the amendment with the signed copies.
6. When the amendment is executed by CDPH, the WIC local agency will receive an original, fully-executed amendment.