

## **ATTACHMENT A STATEMENT OF WORK**

### **I. GRANTEE RESPONSIBILITIES**

Grantee will:

- 1.1 Perform professional, administrative and clerical services necessary to determine eligibility, provide food benefits, and provide appropriate nutrition education and counseling to qualified women, infants and children in a specified geographic area. Grantee shall ensure adequate staff coverage and uninterrupted delivery of services. Services shall be performed according to the statutes, rules, policies, and directives of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and/or as directed by the United States Department of Agriculture (USDA) as referenced in this Contract. During the term of this Contract, the USDA may issue regulations, instructions, policies and/or directives, which may be incorporated into the current System Agency WIC Program Policy and Procedures Manual and program rules.
- 1.2 Determine eligibility of applicants through assessment of their categorical criteria, income, residence and nutritional status, and provide nutrition education and counseling to eligible participants.
- 1.3 Review the immunization records of WIC Program applicants/participants to ensure that immunizations are current. Make appropriate referrals to health care providers for necessary immunizations according to WIC Program policy.
- 1.4 Determine participants' access to health care, medical care and other human services, and make appropriate referrals. Grantee shall have a system in place to provide participants with appropriate health services or make appropriate referrals to health care providers under written agreements that ensure confidentiality of participants' personal information.
- 1.5 Issue pre-numbered WIC Electronic Benefit Transfer (EBT) cards furnished by System Agency to qualified participants who shall use such EBT cards to obtain specified food items from participating vendors; maintain complete accountability and security of all WIC EBT cards received from System Agency. Grantee shall be held financially responsible for all unaccounted WIC EBT cards and/or for the redeemed value of those issued to ineligible participants. In addition, Grantee shall be held financially liable for issuance of infant formula instruments that are not authorized or prescribed according to the System Agency WIC Policy and Procedures Manual.
- 1.6 Provide services within the state boundaries of Texas and in the approved clinic locations described in Grantee's approved application which is incorporated herein by reference and made a part of this Contract.
- 1.7 Appoint a Grantee WIC Director/Supervisor.

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- 1.8 Offer services during extended hours of operation outside the traditional times of 8:00 a.m. to 5:00p.m., Monday through Friday, according to the Grantee's System Agency-approved Annual Plan of Operations, which incorporated by reference and made a part of this Contract.
- 1.9 Assist System Agency or USDA in the collection of data that will identify benefits of this nutrition intervention program and furnish financial, health, nutrition education and any other special reports in a timely manner as required by System Agency's WIC Program policies and procedures for the compilation of such data.
- 1.10 Become and maintain designation as a Mother-Friendly Worksite in accordance with 25 Tex. Admin. Code§ 31.1.
- 1.11 Implement or expand Grantee Breastfeeding Peer Counseling program to provide training and salary of peer counselors who assist pregnant and breastfeeding WIC program participants in normal breastfeeding situations. Provide clients with after-hours peer counseling services. Funding for this activity will be contingent on availability and written approval by System Agency.
- 1.12 If selected by the System Agency, implement or expand Grantee Breastfeeding Peer Dad Program.
  - A. The Peer Dad Program is separate from the Peer Counselor program.
  - B. If selected, Grantee shall submit to System Agency for review and approval a quarterly activity report in a format designated by System Agency. The activity report shall include goals and objectives, strategies, activities, timeline of events and performance measures for implementing and evaluating the program. Grantee shall submit the activity report to System Agency within thirty (30) calendar days after the end of each quarter during the Contract term.
- 1.13 Stock System Agency provided manual pumps, single-user electric breast pumps and multi-user electric breast pumps, collection kits, and purchase additional sized flanges. Distribute the appropriate pumps, kits, and/or additional sized flanges to eligible WIC participants. System Agency reserves the right to withhold payment if Grantee fails to accurately complete and submit online breast pump receiving reports within three (3) business days of receiving a System Agency breast pump delivery as documented in the current WIC Local Agency policy and procedure manual.
- 1.14 Implement or expand Grantee's use of a Registered Dietitian (RD) who is registered with the Commission on Dietetic Registration to provide for Grantee that includes, but not limited to: high-risk individual counseling, developing and conducting facilitated discussion nutrition education classes, consultation regarding the appropriate issuance of special formulas, nutrition publications and visual aids for on the job use, implementing staff training, assisting with the Annual Nutrition Education and Breastfeeding plan, and plan and assist with special projects.

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- 1.15 Train Local Agency staff. The term “Local Agency” is defined at 7 CFR § 246.2.
- 1.16 Develop an Outreach and Retention Plan and submit to the System Agency as part of the annual Nutrition and Breastfeeding Plan as required by WIC Local Agency Policy. Conduct outreach to potential participants and community partners and implement strategies to retain existing participants in accordance with Grantee outreach plan.
- 1.17 Complete surveys as requested.
- 1.18 Provide all WIC local agency employees providing services to WIC clients, a computer that has access to the WIC Management Information System (MIS) system and meets requirements set by the Texas WIC program.
- 1.19 Coordinate with System Agency to visit the physical address of a proposed grocery store outlet and determine if a store exists at the specified location and confirm the signage closely matches the indicated store name, if signage is present. Grantee shall send System Agency an email correspondence indicating findings on a form provided by System Agency, within five (5) business days of receipt of the form.
- 1.20 Resolve all possible dual participation records anytime the “duplicate detection” grid appears in the MIS. System Agency reserves the right to withhold payment if Grantee fails to accurately resolve all possible dual participation at the time of certification.
- 1.21 Implement special projects according to System Agency-approved plan related to nutrition education, outreach or breastfeeding if project is requested by Grantee and approved by System Agency. Funding for special projects is contingent upon availability and approval in writing by System Agency of the Grantee’s plan for the special project.
- 1.22 If selected by System Agency, provide meals to WIC participants as part of the WIC Summer Food Service Pilot Program in collaboration with the Texas Department of Agriculture (TDA) as follows:
  - A. Implement WIC Summer Food Service Pilot Program according to System Agency-approved plan.
  - B. Submit meals served data to Contracting Entity (CE), a designated TDA contractor, in a frequency and format designated by the CE.
  - C. Submit requested updates and/or reports to System Agency in a frequency and format designated by System Agency.
- 1.23 Implement lactation services for WIC program participants who have breastfeeding problems that are beyond the scope of practice of Grantee’s WIC staff and/or peer counselors using International Board-Certified Lactation Consultants (IBCLC) or

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the most qualified equivalent. Lactation services may also include Local Agency staff training and the provision of lactation equipment. System Agency will provide written approval of Grantee's plan to use lactation funding.

- 1.24 If selected by System Agency, serve as:
- A. A lactation center for WIC program mothers with breastfeeding problems as outlined by System Agency;
  - B. A training center for WIC local agency staff and other health providers to receive clinical experience working with breastfeeding mothers; and
  - C. A statewide Lactation Resource Center for health providers to utilize for information and assistance when working with pregnant and breastfeeding women. To serve as the Lactation Resource Center Grantee must:
    - 1. Provide counseling services (to include in-person, phone, web-cam, and email consults) to at least 1000 breastfeeding mothers at Grantee's location every fiscal year.
    - 2. Ensure at least 40 students (i.e. WIC staff, dietetic interns, residents, nurses) complete the Clinical Lactation Practicum or other breastfeeding training at Grantee's location.
    - 3. Provide community education and track outreach activities to promote and support breastfeeding and the use of the lactation center in the community.
    - 4. Submit quarterly activity reports within thirty (30) calendar days after the end of each quarter of this Contract, in a format designated by System Agency. Activity reports will include, Grantee's activities to meet requirements stated within this section.
- 1.25 Ensure adequate staff coverage and uninterrupted delivery of WIC services if any member of Grantee's staff is approved in writing by System Agency to participate in the System Agency's dietetic Internship program. This internship will consist of no less than 1,200 hours of supervised learning experiences in a variety of nutrition-related facilities. Grantee is responsible for:
- A. Designating a WIC Nutritionist, preferably a registered dietitian, to be the Community Nutrition WIC Preceptor and oversee and evaluate intern's performance for the Community Nutrition (CN)/WIC portion of the System Agency dietetic internship.
  - B. The Community Nutrition Preceptor to ensure that the dietetic interns meet all requirements, standards and required supervised practice hours for the CN Supervised Practice as outlined by the System Agency's WIC Program.
  - C. Ensuring that the intern is not used for regular WIC duties during the internship period.

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D. Collecting pay-back monies from intern in the event that the intern does not fulfill dietetic internship local agency contract requirements. Monies must be returned to System Agency.

- 1.26 If selected by System Agency, implement or expand SNAP-Education (SNAP-Ed) projects. Snap-Ed projects will focus on obesity prevention, nutrition education or breastfeeding friendly community initiatives, or peer counselor services for Supplemental Nutrition Assistance Program (SNAP) and WIC eligible populations within the community.

If selected, grantee shall appoint a project coordinator to oversee the implementation and evaluation of each initiative; participate in activities as requested by System Agency, including but not limited to, reports including budget status and evaluation results, collaboration on articles, participation in sharing sessions; follow the Snap-Ed guidance related to allowable costs for approved Snap-Ed projects; collect data and submit all requested reports in a frequency and format designated by Snap-Ed and System Agency for review and approval.

- 1.27 If selected by System Agency, implement or expand the Improving Participant Experience (IPE) initiative and strategies to improve the client experience and alleviate client “pain points,” thus improving the quality of services and client satisfaction. This may include clinic improvements or other improvements.

A. Grantee shall submit proposed initiatives and required reports in a frequency and format designated by System Agency for review and approval.

B. Grantee shall appoint a project coordinator to oversee the implementation and evaluation of each initiative.

C. Grantee shall participate in activities as requested by System Agency, including but not limited to, writing news articles, submitting mid-year and end of year reports and participating in sharing sessions.

D. Grantee shall spend funds related to clinic improvements on items that meet the Texas WIC Design Guidelines and Catalog or have received approval from the System Agency.

- 1.28 If selected by System Agency, serve as an Innovation Center to implement innovative approaches in nutrition education, with a focus on behavior change and retention projects as proposed to System Agency.

Grantee shall designate an Innovation Lead based on requirements from System Agency who is responsible for overseeing local agency training, support, and evaluation on innovative concepts for clinic staff in addition to the implementation and evaluation of Innovation Center projects.

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Grantee shall participate in additional activities as requested by System Agency, including but not limited to, observation and training on innovative techniques to staff from other WIC local agencies, collaboration on articles, reports including budget status and results, evaluation of innovative techniques, workgroup meetings at System Agency, and presentations at the Texas WIC Nutrition and Breastfeeding Conference. Grantee projects will comply with written Innovation Center plan submitted and approved by System Agency which is incorporated by reference. Grantee will submit reports in a frequency and in a format designated by System Agency.

- 1.29 If selected by System Agency, provide services to assist other WIC local agencies with management of participation growth, including, but not limited to, scheduling participants, clinic flow, and utilization of clinic space. Services are to include the following:
- A. Consultation with local agency staff regarding placement of equipment, clinic scheduling, clinic reconfiguration, changes in patient flow, and revision of staff duties;
  - B. Visits to local agency sites to ensure that changes are successfully implemented and to advise and make recommendations as needed;
  - C. Evaluation and assistance to WIC local agencies with processing applicants within federal timeframes;
  - D. Additional duties not listed but deemed necessary by either the local agency or System Agency;
  - E. Submit reports to System Agency in a format and frequency designated by System Agency documenting services provided to local agencies and local agency clinic efficiency; and
  - F. Consult with System Agency concerning design and implementation of a new computerized system for administering and tracking WIC program activity.
- 1.30 If selected by System Agency, Grantee will provide women's health, infant mortality, and WIC education and outreach in designated regions. These services to include the following:
- A. Schedule WIC training for all Community Health Workers who shall attend at least one (1) training session per fiscal year; and
  - B. Oversee Community Health Workers in conducting education and outreach at, but not limited to, libraries, parent groups, schools, churches, businesses, health fairs, WIC clinics, etc., to educate potentially eligible persons about the benefits of the WIC Program including nutrition education, breastfeeding support, and supplemental foods, and the location of WIC clinics.
  - C. Submit requested updates and/or reports to System Agency in a frequency and format designated by System Agency for review and approval.

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- 1.31 If selected by System Agency, provide WIC outreach utilizing a subcontracted entity for a designated area of the state.

Subcontracted WIC program outreach services to include:

- A. Educate potentially eligible persons about the benefits of the WIC Program, including nutrition education, breastfeeding support and supplemental foods;
- B. Provide WIC application and appointment assistance;
- C. Promote WIC services at community events and through local media;
- D. Provide Medicaid, Food Stamps and Texas Temporary Assistance for Needy Families (TANF) application assistance to WIC participants;
- E. Track and reporting case outcome determination; including persons referred to WIC who subsequently participate in the WIC program; and
- F. Provide WIC clients and applicants with appointment reminders.
- G. Require at a minimum, one (1) in-person training per federal fiscal year (FFY) for all subrecipient subcontractor staff providing WIC program services outreach. Grantee will submit to System Agency training content for review and approval upon request.
- H. Provide System Agency with Grantee and Grantee subcontractor activity reports in the frequency and format designated by System Agency.
- I. Grantee shall maintain and provide to System Agency upon request, written policies and procedures for monitoring subrecipient subcontractors for both financial and programmatic performance.
- J. Grantee shall submit to System Agency upon request, results of ongoing monitoring and corrective actions in a format and frequency designated by System Agency.
- K. Grantee shall ensure a signed Data Use form is signed for every contract term and that all client and potential client identifying information forwarded to the subrecipient subcontractor is used only for the purposes stated in this section.

- 1.32 If selected by System Agency, serve as a Regional Training and Conference center for the Texas WIC program and the United States Department of Agriculture (USDA) staff.

- A. In addition to training implemented by Grantee, the Regional Training and Conference Center shall be used as a central site for conducting routine System Agency.
- B. Training center staff may be requested to develop specific courses as designated by the System Agency.

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- C. Training center staff may be required to travel to other agencies/sites to conduct trainings at the System Agency's request.
- D. Grantee shall submit proposed courses, initiatives and required reports in a frequency and format designated by System Agency for review and approval.
- E. The Regional Training and Conference Center will also be available for satellite video conferencing as needed by System Agency, USDA, and WIC local agencies.

### **II. PERFORMANCE MEASURES**

The System Agency will monitor the Grantee's performance of the requirements in this Attachment A and compliance with the Contract's terms and conditions.

The following performance measures will be used to assess, in part, Grantee's effectiveness in providing the services described in the Contract, without waiving the enforceability of any of the other terms of the contract.

#### **2.1 Grantee shall ensure:**

- A. Each quarter, an average of less than 5% of families who participate in the WIC Program by receiving food benefits will refuse nutrition education classes at the time of food instrument issuance.
- B. An average of 20% of all pregnant women who enter the WIC Program each quarter shall be certified as eligible during the period of the first trimester of their pregnancy;
- C. An average of 80% of clients a quarter who are enrolled in the WIC Program, excluding dual participants, transfer locked and/or migrant clients, shall participate as food benefit recipients each month (breast-feeding infants are also included in the client count); and
- D. 100% of participants who indicate during the enrollment process for the WIC Program that they have no source of health care shall be referred to an appropriate service.
- E. An average customer satisfaction percentage of no more than 10% below the statewide average.

### **III. INVOICE AND PAYMENT**

- 3.1 HHSC will send Grantee an annual funding letter ("Notice of Award") setting the award amount for the corresponding fiscal year. Annual and funding adjustment Notices of Award will be incorporated into this Contract by reference.



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- 3.2 Grantee will request monthly payments using the State of Texas Purchase Voucher (invoice) and submit with any supporting documentation by electronic mail to HHSC WIC Program Services Branch at [WicVouchers@hhsc.state.tx.us](mailto:WicVouchers@hhsc.state.tx.us).
- A. Grantee shall indicate separately on the face of the State of Texas Purchase Voucher (invoice), the costs associated with nutrition education, breast-feeding, and other administrative costs.
- 3.3 Grantee shall submit a separate State of Texas Purchase Voucher (Invoice) for reimbursement of actual allowable costs associated with each special project.
- 3.4 Grantee will submit Financial Status Reports (FSR) by electronic mail to HHSC WIC Program Services Branch at [WicVouchers@hhsc.state.tx.us](mailto:WicVouchers@hhsc.state.tx.us) by the last business day of the month following the end of each quarter of the Contract term for review and financial assessment.
- 3.5. Grantee will be paid on a cost categorical basis and in accordance with the terms of this Contract.
- 3.6 In order to claim indirect costs, Grantee must have an approved indirect cost rate or elect to use the de Minimis rate by December 31, 2020. The options for indirect cost recovery are as follows:
- A. Elect to use the de minimis;
- B. Grantee provides System Agency with an approved negotiated indirect cost rate agreement from a federal or state agency;
- C. Grantee requests a negotiated rate from a cognizant agency;
- D. Grantee requests a negotiated rate from System Agency directly; or
- E. Grantee waives indirect cost recovery.
- Indirect costs may be restricted or prohibited by legal statute or the grant terms and conditions. Any restrictions that are identified by legal, statute, or grant terms will limit the maximum amount of grant dollars available to recover indirect costs.
- 3.7 All payments made by System Agency to Grantee under this Contract will be reimbursements subject to the following requirements, conditions and stipulations:
- A. All categories of costs billed to System Agency and allocation of such costs, shall be in accordance with the Plan to Allocate Direct Costs (PADC) submitted by Grantee and accepted by the System Agency. This document is incorporated in the Contract by reference.
- B. System Agency will reimburse Grantee for administrative costs incurred when determining eligibility, providing appropriate nutrition education and counseling, issuing WIC Electronic Benefit Transfer (EBT) cards, making

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participant referrals, vendor evaluation, outreach, start-up costs and general administrative support.

- C. Administrative costs will be reimbursed based on actual costs, but not to exceed the “maximum reimbursement” based upon the sum of the participants who were issued WIC benefits each month plus infants who do not receive any WIC benefits whose breastfeeding mothers were participants to the extent that the total so derived does not exceed Grantee’s total assigned caseload within any given month. Surplus funds (the amount by which maximum reimbursements exceed actual costs) can be accumulated and carried forward within the Contract term.
- D. The participant caseload will be assigned by System Agency by giving written notice to Grantee. The participant caseload is subject to change upon written notice to Grantee from System Agency with Grantee’s concurrence. Grantee assumes liability for all food costs resulting from Grantee exceeding its assigned caseload. The number of individuals served in excess of assigned caseload are not to be included in the calculation of earned administrative funds as described below.
- E. Grantee will be allowed the option of receiving a two (2) month cash advance in accordance with current System Agency's WIC program policy and procedures.
- F. Grantee surplus encumbered by September 30 shall be billed and vouchers received by System Agency no later than sixty (60) calendar days following the fiscal year.
- G. Grantee shall identify and document separately not less than 19% of total administrative costs as expenditures directly related to nutrition education and counseling. Nutrition education and counseling expenditures shall be supported by documentation of participant attendance or non-attendance within the WIC Program.
- H. System Agency will reimburse Grantee for administrative expenses at a rate not greater than 5.26 times the amount of properly documented expenditures for nutrition education and counseling, but not more than is earned based on actual participation not to exceed Grantee’s assigned participant caseload, plus any incentive funds allocated to Grantee by System Agency.
- I. System Agency will identify annually to Grantee an amount of funds that shall be spent for breastfeeding promotion. The allocation of breast feeding funds to Grantee will be based on Grantee’s proportional share of the statewide combined total of pregnant and breastfeeding participants as reported to System Agency.

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- J. System Agency reserves the right to withhold a proportionate amount of earned administrative funds when evidence exists that nutrition education and/or breastfeeding promotion is not being provided by Grantee, or Grantee is not complying with the provisions of USDA and/or System Agency directives.
- K. System Agency may provide extended hours funding to Grantee for participants who are provided WIC services outside the normal traditional hours to the extent that federal funding is available.
- L. System Agency may amend or terminate the Contract if available funds become reduced, depleted, or unavailable during the term of the Contract to the extent that the WIC Program is unable to provide administrative funding at the rate(s) stated in the Notice of Award. System Agency will notify Grantee if a change in funding occurs and Grantee will have sixty (60) days to provide written notice to System Agency with intention to terminate this contract.
- M. System Agency may, at its sole discretion, pay for additional goods or services, as specified in this attachment, if provided by Grantee during the term of the Contract and not otherwise paid during the Contract term if it is in the best interest of System Agency. If Grantee exceeds the amount of earned administrative funds as stated above, Grantee shall continue to bill System Agency for the services provided. If additional funds become available at a later date for the provision of these services, System Agency may elect to pay Grantee a share of these funds.