To: Summer Food Service Program (SFSP) Contractors

Subject: Food and Nutrition Division (FND) Agreement Contractor Specific Amendments

Effective Date: Immediately

Purpose

REPLACE Item 2237.2, Contractor specific amendments

This item is updated to reflect changes in how contract amendments are initiated, submitted and approved.

Implementation

Immediately

Procedure

Replace Item 2237.2 with the following:

Contractor specific amendments are limited to:

- Adding participation in an FND-administered program;
- Deleting participation in an FND-administered program;
- Changing the name of the organization in which the FEIN remains the same under the exiting FND Agreement; or
- Changing the name of the organization in which other documentation establishing your legal identity remains the same under the existing FND Agreement.

Whenever necessary, your F&N FOO will amend your FND Agreement using an “amendment form” to indicate your current participating status and/or organization name.

EXAMPLE (adding a program): If a contractor is approved to participate in the SFSP and later applies to participate in the Child and Adult Care Food Program (CACFP) Child Care Centers (CCC), the contractor will complete the amendment form included in the application packet. The contractor will sign the form and return it to the F&N FOO. Upon receipt and approval of the contractor’s signed amendment form, TDA will sign the form and a copy will be returned to you for your files.

continued

This Policy Remains in Effect Until Further Notice
**Procedure continued**

**EXAMPLE (deleting a program):** If a contractor is approved to participate in both the CACFP CCC and the SFSP, but decides to terminate their participation in the CACFP CCC, the contractor must notify their F&N FOO. The F&N FOO will complete an amendment form and send it to the contractor. The contractor will sign the form and return it to the F&N FOO. Upon receipt and approval of the contractor’s signed amendment form, TDA will sign the form and a copy will be returned to you for your files.

**EXAMPLE (name change):** If a contractor notifies the F&N FOO that the name of their contracting organization has changed, but the FEIN, or other documentation establishing your legal identity has not, the F&N FOO will enter the new name of the contracting organization on an amendment form and send it to the contractor. The contractor will sign the form and return it to the F&N FOO. Upon receipt and approval of the contractor’s signed amendment form, TDA will sign the form and a copy will be returned to you for your files.

Contractor specific amendments can be initiated by either the F&N FOO or the contracting organization.

A contractor specific amendment initiated by a contractor to add or delete a program can be withdrawn. The contractor may decide not to participate in the program being added or continue participation in the program being deleted. In the event that you decide to withdraw a contractor-specific amendment, you must inform your F&N FOO in writing.

Failure to return a contractor amendment, or to notify your F&N FOO that you wish to withdraw the action, could result in termination of your FND Agreement for cause. Reference Item 8133, Termination for Cause.

**Contact**

If you have any questions please contact your Food and Nutrition Field Operations Office.