

MARIPOSA COUNTY

Health • (209) 966-3689



RESOLUTION - ACTION REQUESTED 2018-80

MEETING: February 27, 2018
TO: The Board of Supervisors
FROM: Eric Sergienko, Health Officer
RE: Approve the Standard Agreement Amendment 05 with CDPH

RECOMMENDATION AND JUSTIFICATION:

Approve Standard Grant Agreement Amendment 14-10517, 05 with the California Department of Public Health for Public Health Emergency Preparedness (PHEP) and Pandemic Influenza for Fiscal Year 2014-2018, to Amend Exhibit B, Budget to Shift Funds Between Categories to Better Compensate Contractor for Actual Services Performed; and Authorize the Board of Supervisors Chair to Sign the Amended Grant Agreement, and Sign the Contractor Certification Clause

The purpose of this amendment is to revise Exhibit B, Budget, to shift funds between categories to better compensate contractor for actual services performed. This will allow the contractor to complete the services outlined in the scope of work (SOW) revised in amendment four (A04). Certain changes made in this amendment are shown as: Text additions are displayed in bold and underline. Text deletions are displayed as strike through text (i.e., ~~Strike through~~).

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On May 16, 2017, the Board of Supervisors approved the Standard Agreement Amendment A04 with Resolution #2017-290. This amendment modified Exhibits A, Attachment 1, Scope of Work (SOW), Exhibit B, Budget, and add additional funds, activities and a one-year extension through Fiscal Year 2017-2018 to complete the activities outlined in the SOW.

On December 6, 2016, the Board of Supervisors approved the Standard Agreement Amendment A03 with Resolution #2016-624. This amendment allowed Exhibit "A", Scope of Work, Exhibit "B", Budget to adjust funding amount for Fiscal Year 2016-2017 and add additional function to complete the services outlined in the SOW.

On March 15, 2016, the Board of Supervisors approved the Standard Amended Agreement A02 with Resolution #2016-124. The amendment increasing the funding amount to \$521,551 and amended Exhibit A, Scope of Work.

On July 2, 2015, the Board of Supervisors approved the Standard Amended Agreement A01 with Resolution #2015-327. The amendment was to increase the funding amount for Fiscal Year 2014-2015 to allow the contractor to complete more of the same services outlined in the original scope of work.

Resolution - Action Requested 2018-80

On February 24, 2015, the Board of Supervisors approved an amendment to the 2014-2015 CDC Public Health Emergency Preparedness Standard Agreement 14-10517 with Resolution #2015-89. The original Agreement had the incorrect dollar amount (\$511,875 instead of \$511,857) but the wording of the dollar amount in the Agreement was correct. The First Amendment requested by the State then incorrectly changed the wording in the Agreement to the transposed the dollar amount. Then the Second Amendment requested by the State was to change the dollar amount and wording to the correct amount of \$511,857.

On February 13, 2015, the Health Department was notified by the California Department of Public Health Emergency Preparedness Office that \$6 (\$18 over three Fiscal Years) was left off the original budget.

On January 27, 2015, the Health Department brought back to the Board of Supervisors an Amended Standard Agreement due to the California Department of Public Health Emergency Preparedness Office e-mail notifying the County that line 3 of the Standard Agreement was worded incorrectly for the dollar amount. The Board of Supervisors approved the Amended Standard Agreement #14-10517 on January 27, 2015, with Resolution 2015-46.

On December 2, 2014, the Board of Supervisors approved the Standard Agreement #14-10517 with Resolution 2014-618.

Additionally, the Board has approved the State funded programs for last four fiscal years with, Resolution Number 10-501 on October 26, 2010, Resolution Number 12-504 on October 9, 2012, and Resolution Number 13-455 on October 15, 2013.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the funding allocation agreement amendment. The budgeted program will either need County General Funds or will not be funded.

FINANCIAL IMPACT:

Revenue and corresponding appropriations are included in the Fiscal Year 2017-2018 budget.

ATTACHMENTS:

Mariposa 14-10517 A05 (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Miles Menetrey, District V Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

STANDARD AGREEMENT AMENDMENT

STD 213A (Rev 6/03)

RES. NO. 18-80

Check here if additional pages are added: 0 Page(s)

Agreement Number 14-10517	Amendment Number 05
Registration Number:	

1. This Agreement is entered into between the State Agency and Contractor named below:

State Agency's Name California Department of Public Health	Also known as CDPH or the State
Contractor's Name Mariposa County	(Also referred to as Contractor)
2. The term of this Agreement is: **July 1, 2014 through June 30, 2018**
3. The maximum amount of this Agreement after this amendment is: **\$ 516,832.00**
Five Hundred Sixteen Thousand Eight Hundred Thirty Two Dollars and No Cents.
4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:
 - I. The purpose of this amendment is to revise Exhibit B, Budget, to shift funds between categories to better compensate contractor for actual services performed. This will allow the contractor to complete the services outlined in the scope of work (SOW) revised in amendment four (A04).
 - II. Certain changes made in this amendment are shown as: Text additions are displayed in **bold and underline**. Text deletions are displayed as strike through text (i.e., Strike through).
 - III. Exhibit B – Attachment 4 is hereby replaced in its entirety.



(Continued on next page)

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR	CALIFORNIA Department of General Services Use Only
Contractor's Name (If other than an individual, state whether a corporation, partnership, etc.) Mariposa County	
By (Authorized Signature) 	Date Signed (Do not type) 3/6/18
Printed Name and Title of Person Signing Rosemarie Smallcombe, Chair of the Board	
Address Post Office Box 5, Mariposa, CA 95338	
STATE OF CALIFORNIA	
Agency Name California Department of Public Health	
By (Authorized Signature) 	Date Signed (Do not type) 3/27/18
Printed Name and Title of Person Signing Jeff Mapes, Chief, Contracts Management Unit	
Address 1616 Capitol Ave, Suite 74.262 MS 1802, P.O. Box 997377, Sacramento, CA 95899-7377	
<input checked="" type="checkbox"/> Exempt per: HSC 101319	


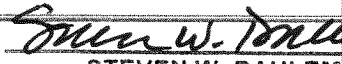
APPROVED AS TO FORM:

STEVEN W. DAHLEM
COUNTY COUNSEL

CCC 04/2017

CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

<i>Contractor/Bidder Firm Name (Printed)</i> Mariposa County		<i>Federal ID Number</i> 946000880
<i>By (Authorized Signature)</i> 		APPROVED AS TO FORM:
<i>Printed Name and Title of Person Signing</i> Rosemarie Smallcombe, Chair of the Board		 STEVEN W. DAHLEM COUNTY COUNSEL
<i>Date Executed</i> 3-6-18	<i>Executed in the County of</i> Mariposa, California	

CONTRACTOR CERTIFICATION CLAUSES

1. **STATEMENT OF COMPLIANCE:** Contractor has, unless exempted, complied with the nondiscrimination program requirements. (Gov. Code §12990 (a-f) and CCR, Title 2, Section 11102) (Not applicable to public entities.)

2. **DRUG-FREE WORKPLACE REQUIREMENTS:** Contractor will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

- a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
- b. Establish a Drug-Free Awareness Program to inform employees about:
 - 1) the dangers of drug abuse in the workplace;
 - 2) the person's or organization's policy of maintaining a drug-free workplace;
 - 3) any available counseling, rehabilitation and employee assistance programs; and,
 - 4) penalties that may be imposed upon employees for drug abuse violations.
- c. Every employee who works on the proposed Agreement will:
 - 1) receive a copy of the company's drug-free workplace policy statement; and,
 - 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and Contractor may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the Contractor has made false certification, or violated the

APPROVED AS TO FORM:


**STEVEN W. DAHLEM
COUNTY COUNSEL**