



## Legislation Details (With Text)

**File #:** 22-0592      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 3/22/2022      **In control:** Board of Supervisors

**On agenda:** 6/28/2022      **Final action:** 6/28/2022

**Title:** Health and Human Services Agency (HHS) recommending the Board:  
 1) Approve the continuation of Thirteen (13) perpetual agreements as detailed in Attachment A;  
 2) Authorize the Purchasing Agent to post a change order for each ongoing perpetual agreement to ensure availability of funding in Fiscal Year (FY) 2022-23;  
 3) Delegate authority to the HHS Director to execute amendments, as needed, to the perpetual agreements detailed in Attachment A, that do not increase the maximum dollar amount, contingent upon approval by County Counsel and Risk Management, and notify the Board of such amendments on an annual basis;  
 4) Receive and file the list of perpetual agreements terminated in FY 2021-22 listed in Attachment B; and  
 5) Authorize the HHS Director to terminate other perpetual agreements, as appropriate, including but not limited to those listed in Attachment B, and notify the Board of such terminations on an annual basis.

**FUNDING:** Various, see funding sources in Attachment A.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - FY 2022-2023 Perpetual List - Attachment A, 2. B- FY 2022-2023 Contracts Terminated - Attachment B

Date	Ver.	Action By	Action	Result
6/28/2022	1	Board of Supervisors	Approved	Pass

Health and Human Services Agency (HHS) recommending the Board:  
 1) Approve the continuation of Thirteen (13) perpetual agreements as detailed in Attachment A;  
 2) Authorize the Purchasing Agent to post a change order for each ongoing perpetual agreement to ensure availability of funding in Fiscal Year (FY) 2022-23;  
 3) Delegate authority to the HHS Director to execute amendments, as needed, to the perpetual agreements detailed in Attachment A, that do not increase the maximum dollar amount, contingent upon approval by County Counsel and Risk Management, and notify the Board of such amendments on an annual basis;  
 4) Receive and file the list of perpetual agreements terminated in FY 2021-22 listed in Attachment B; and  
 5) Authorize the HHS Director to terminate other perpetual agreements, as appropriate, including but not limited to those listed in Attachment B, and notify the Board of such terminations on an annual basis.

**FUNDING:** Various, see funding sources in Attachment A.

**DISCUSSION / BACKGROUND:**

Board of Supervisors Policy C-17, Section 4.5, "Contract Term," requires departments to "obtain authorization from the Board of Supervisors, initially, and on an annual basis, to use any contract that

does not have a stated agreement term.”

Each perpetual agreement must have a change order processed in FENIX to allocate funding for payments in the upcoming fiscal year. Therefore, Health and Human Services Agency (HHSA) is apprising the Board of the perpetual agreements listed on Attachment A, and recommending the Board authorize the Purchasing Agent to post a change order for each ongoing perpetual agreement to ensure availability of funding in FY 2022-23, effective July 1, 2022.

Last year, the Board approved the continuation of eleven perpetual agreements. HHSA has four additions to the list as follows:

1. Agreement 5585 with Bell Data Systems (08-24-2021, File ID 21-1189, No. 14);
2. Agreement 3245 with CharityLogic, Inc. (Ratified by the Board as perpetual on 08-24-2021, File ID 21-1226, No. 16);
3. Agreement 5828 with Kayna Westley, LLC owner of Best Western Stagecoach Inn (07-27-21, File ID 21-1163, No. 5). This Agreement is a motel lease utilized during the COVID-19 emergency with a perpetual term. It is included here as a non-standard perpetual contract to allow for the final restoration of premises payment for cleaning and repairs, to occur after the County vacates the premises no later than June 30, 2022. The Agreement will be terminated soon thereafter; and
4. Agreement 3076 with Network Solutions (Ratified by the Board as perpetual on 08/10/2021, File ID 21-1103 No.14).

Additionally, two agreements are being removed from the perpetual list as follows:

1. Agreement 279 (142-O1111) with California Mental Health Services Authority (CalMHSA) is being removed from the perpetual list as it no longer has a financial component. (02-15-2011, File ID 10-1324, No. 17 and 12-10-2013, File ID 10-1324, No. 5). CalMHSA informed HHSA that there will be no additional membership fees. The Agreement will remain active with respect to membership only. Ongoing participation in the Statewide Prevention and Early Intervention Program, a component of this agreement, is now being invoiced under its own agreement, 5860. (8-24-2021, File ID 21-1179, No.12).
2. Agreement 3592 with BHC Health Services of Nevada was terminated effective December 20, 2021. (02-26-2019, File ID 18-1873, No.11).

The combination of these actions resulted in Thirteen (13) continuing perpetual contracts for FY 2022-23, which are included in Attachment A. The two agreements removed from the prior year list are included in Attachment B.

During FY 2022-23, HHSA will continue to monitor and research the existing perpetual agreements. For the agreements that are no longer needed, HHSA will terminate them, as appropriate, and will notify the Board of such terminations on an annual basis.

#### **ALTERNATIVES:**

If the Board does not approve extension of these perpetual agreements, HHSA will be unable to process payment for services provided under said agreements.

#### **PRIOR BOARD ACTION:**

- 1) 06-20-2017, 13-0674, HHSA FY 2017-2018 Perpetual Agreements List

- 2) 05-08-2018, 18-0554, HHSA Perpetual List 2018-2019
- 3) 06-04-2019, 19-0700, HHSA FY 2019-20 Perpetual Agreement
- 4) 05-19-2020, 20-0450, HHSA Perpetual Agreement List FY 2020-21
- 5) 05-18-2021, 21-0626, HHSA FY 2021-2022 Perpetual Agreement List

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

County Counsel, Human Resources, Procurement and Contracts, and Risk Management. The Auditor-Controller has been notified per Board Policy B-12.

**CAO RECOMMENDATION:**

Approve as recommended.

**FINANCIAL IMPACT:**

The value and funding sources of each perpetual agreement for FY 2022-23 is identified in Attachment A. Sufficient appropriations are included in the Fiscal Year 2022-23 Recommended Budget, and will be included in future budgets for the term of the perpetual agreements.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

Clerk of the Board to send one (1) certified minute order to the HHSA Contracts Unit at 3057 Briw Road.

**STRATEGIC PLAN COMPONENT:**

Public Safety, Healthy Communities, and Good Governance

**CONTACT**

Daniel Del Monte, Interim Director