



## Legislation Details (With Text)

**File #:** 21-0626      **Version:** 1

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

**File created:** 4/8/2021      **In control:** Board of Supervisors

**On agenda:** 5/18/2021      **Final action:** 5/18/2021

**Title:** Health and Human Services Agency recommending the Board:

- 1) Approve the continuation of eleven (11) 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 FY 2021-22;
- 3) Delegate authority to the Health and Human Services (HHSA) Director to execute amendments, as needed, to the perpetual agreements detailed in Attachment A, that do not increase the maximum dollar amount or change the term of the Agreement, 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 2020-21 listed in Attachment B; and
- 5) Authorize the HHSA 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 - Attachment A, Perpetual Agreements, 05-18-2021, 2. B - Attachment B, Terminated Agreements, 05-18-2021

Date	Ver.	Action By	Action	Result
5/18/2021	1	Board of Supervisors	Approved	Pass

Health and Human Services Agency recommending the Board:

- 1) Approve the continuation of eleven (11) 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 FY 2021-22;
- 3) Delegate authority to the Health and Human Services (HHSA) Director to execute amendments, as needed, to the perpetual agreements detailed in Attachment A, that do not increase the maximum dollar amount or change the term of the Agreement, 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 2020-21 listed in Attachment B; and
- 5) Authorize the HHSA 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.

Since the implementation of FENIX, each perpetual agreement must have a change order executed to allocate funding for payments in the upcoming fiscal year. Therefore, Health and Human Services Agency (HHS) 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 2021-22, effective July 1, 2021.

Agreement 404-O1511 (FENIX 3553) with El Dorado Community Foundation was misidentified as an expenditure agreement and erroneously added to the Perpetual List. This Agreement was approved by the Board on September 15, 2015 (File ID 15-1056, Number 17). The El Dorado Community Foundation manages a charitable fund known as the "County of El Dorado Senior Services Fund" for senior services programs and activities. Funds donated by members and residents specifically for use by senior services programs go into the charitable fund. HHS is notifying the Board that it is being removed from the Perpetual List.

Additionally, during FY 2020-21, HHS terminated three perpetual agreements listed in Attachment B, as authorized by the Board (File ID: 20-0450, Number 10). The combination of these actions resulted in eleven (11) continuing perpetual contracts for FY 2021-22.

During FY 2021-22, HHS will continue to monitor and research the existing perpetual agreements. For those agreements that are no longer needed, HHS will terminate them, as appropriate, and will notify the Board of such terminations on an annual basis.

**ALTERNATIVES:**

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

**PRIOR BOARD ACTION:**

- 1) 05-19-2020, 20-0450, HHS Perpetual Agmt List FY 2020-21
- 2) 06-04-2019, 19-0700, HHS FY 2019-20 Perpetual Agreement
- 3) 05-08-2018, 18-0554, HHS Perpetual List 2018-2019
- 4) 06-20-2017, 13-0674, HHS FY 2017-2018 Perpetual Agreements List

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

County Counsel, Human Resources, Procurement and Contracts, and Risk Management.

**CAO RECOMMENDATION:**

Approve as recommended.

**FINANCIAL IMPACT:**

The value and funding sources of each perpetual agreement for FY 2021-22 is identified in Attachment A. Sufficient appropriations will be included in the Fiscal Year 2021-22 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 HHS Contracts Unit at 3057 Briw Road.

**STRATEGIC PLAN COMPONENT:**

N/A

**CONTACT**

Don Semon, Director