



## Legislation Text

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**File #:** 24-0442, **Version:** 1

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Health and Human Services Agency (HHS) recommending the Board:

- 1) Approve the continuation of 10 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 2024-25;
- 3) Delegate authority to the Purchasing Agent to execute amendments, as needed, to the perpetual agreements detailed in Attachment A, that do not increase the maximum dollar amounts beyond what is outlined in Attachment A, contingent upon approval by County Counsel and Risk Management; and
- 4) Authorize the HHS Director or Chief Assistant Director to terminate perpetual agreements, as appropriate, including but not limited to those listed in Attachment A.

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

**DISCUSSION / BACKGROUND:**

In accordance with the October 20, 2022, Board of Supervisors Policy C-17, Section 2.4, "Perpetual Agreements," a perpetual agreement is a contract that does not have a stated term. Under this policy, the County Purchasing Agent (PA) is authorized to sign perpetual agreements where the dollar amount does not exceed the PA's authority. The PA authority is determined based on the dollar amount to be expended within the first 36 months of the contract.

Beginning June 20, 2017, and thereafter on an annual basis each year, the Board has authorized the Purchasing Agent to sign specific HHS perpetual agreements to ensure continued administration and provision of services to the community. This annual approval process has allowed HHS to ensure continuity in services on specific perpetual agreements without any undue delays. Most recently, on June 20, 2023, the Board approved the continuation of nine HHS perpetual agreements for Fiscal Year (FY) 2023-24 (Legistar file 23-0832).

HHS is requesting the Board authorize the continuance of 10 specified perpetual agreements for FY 2024-25. For FY 2024-25, HHS has one addition to the perpetual list, Agreement 4819 between HHS and Conduent Healthy Communities Corporation for WeIDorado Platform Maintenance (approved by Board June 23, 2020, Legistar file 20-0559.)

The County's financial system (FENIX) requires that each perpetual agreement have a change order processed to allocate funding for payments in the upcoming FY. Therefore, HHS is apprising the Board of the perpetual agreements listed in Attachment A, and recommends the Board authorize the PA to post a change order for each ongoing perpetual agreement to ensure the availability of funding in FY 2024-25, to be effective July 1, 2024.

During FY 2024-25, HHS will continue to monitor these existing perpetual agreements. For any perpetual agreements that are no longer needed, HHS will terminate said agreement(s), as appropriate.

**ALTERNATIVES:**

If the Board does not approve the extension of these perpetual agreements, HHSA will be unable to process payments for services provided under said agreements and will have to return to Board in a separate item(s), which will result in delayed payments to the vendors and result in gaps in service provision.

**PRIOR BOARD ACTION:**

- 1) 06/20/17, 13-0674, HHSA FY 2017-18 Perpetual Agreements Lists
- 2) 05/08/18, 18-0554, HHSA Perpetual List 2018-19
- 3) 06/04/19, 19-0700, HHSA FY 2019-20 Perpetual Agreement Lists
- 4) 05/19/20, 20-0450, HHSA Perpetual Agreement List FY 2020-21
- 5) 06/23/20, 20-0559, HHSA Conduent Agreement 4819
- 6) 05/18/21, 21-0626, HHSA FY 2021-22 Perpetual Agreement List
- 7) 06/28/22, 22-0592, HHSA FY 2022-23 Perpetual Agreement List
- 8) 06/20/23, 23-0832, HHSA FY 2023-24 Perpetual Agreements 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 source of each perpetual agreement for FY 2024-25 is identified in Attachment A. Sufficient appropriations for these perpetual agreements have been included in the HHSA Fiscal Year 2024-25 Budget and will be included in future budgets for the term of the perpetual agreements.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT:**

N/A

**CONTACT**

Olivia Byron-Cooper, MPH, Director, Health and Human Services Agency