



Legislation Details (With Text)

File #: 13-0674 **Version:** 7

Type: Agenda Item **Status:** Approved

File created: 5/30/2013 **In control:** Board of Supervisors

On agenda: 6/20/2017 **Final action:** 6/20/2017

Title: Health and Human Services Agency (HHSA), recommending the Board:
 1) Approve the continuation of twenty-two (22) perpetual agreements as detailed in Attachment 7A;
 2) Authorize the Purchasing Agent, or designee, to establish blanket purchase orders, as needed, for those approved perpetual agreements, to process associated payments for Fiscal Year 2017 /18;
 3) Delegate authority to the HHSA Director to execute amendments, if any, to the perpetual agreements detailed in Attachment 7A as needed, including amendments, which do not increase the maximum dollar amount or change the term of the Agreement, and 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 terminated perpetual agreements detailed in Attachment 7B; and
 5) Authorize the HHSA Director to terminate other perpetual agreements as appropriate and notify the Board of such terminations on an annual basis.

FUNDING: Federal and State funds, or grants with the County share of cost or required match, if any, met with realignment or other Non-General Fund resources.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 7A - FY 2017-2018 Perpetual Expenditure Agreements, 06-20-2017, 2. 7B - List of perpetual agreements trmntd in 2016-2017, 06-20-2017, 3. 6A - FY 2016-2017 Perpetual Agreements, 06-14-2016, 4. 6B - FY 2016-2017 Perpetual Revenue Agreements, 06-14-2016, 5. 6C - FY 2016-2017 Perpetual Agreements, Terminate, 06-14-2016, 6. 4A - HHSA FY 15-16 Perpetual Agreements, 4-28-15, 7. 4B - HHSA FY 15-16 Perpetual Contract - Terminate, 4-28-15, 8. 3A - HHSA FY 14-15 Perpetual Contracts 6-24-14, 9. 2A - HHSA FY 13-14 Perpetual Contracts Summary 7-16-13.pdf, 10. 2B - HHSA FY 13-14 Perpetual Contract Spreadsheet 7-16-13.pdf, 11. 2C - Counsel-Noted CRS re HSSA Perpetual Contracts FY 13-14 7-16-13.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 6/20/2017 | 7 | Board of Supervisors | Approved | Pass |
| 6/14/2016 | 6 | Board of Supervisors | Approved | Pass |
| 7/21/2015 | 5 | Board of Supervisors | Approved | Pass |
| 4/28/2015 | 4 | Board of Supervisors | Approved | Pass |
| 6/24/2014 | 3 | Board of Supervisors | Approved | Pass |
| 7/16/2013 | 2 | Board of Supervisors | Approved | Pass |

Health and Human Services Agency (HHSA), recommending the Board:
 1) Approve the continuation of twenty-two (22) perpetual agreements as detailed in Attachment 7A;
 2) Authorize the Purchasing Agent, or designee, to establish blanket purchase orders, as needed, for those approved perpetual agreements, to process associated payments for Fiscal Year 2017 /18;
 3) Delegate authority to the HHSA Director to execute amendments, if any, to the perpetual agreements detailed in Attachment 7A as needed, including amendments, which do not increase the

maximum dollar amount or change the term of the Agreement, and 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 terminated perpetual agreements detailed in Attachment 7B; and

5) Authorize the HHSA Director to terminate other perpetual agreements as appropriate and notify the Board of such terminations on an annual basis.

FUNDING: Federal and State funds, or grants with the County share of cost or required match, if any, met with realignment or other Non-General Fund resources.

DEPARTMENT RECOMMENDATION:

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. It is the intention of Health and Human Services Agency (HHSA) to apprise the Board of these perpetual agreements and to seek authorization for the Purchasing Agent to prepare blanket purchase orders, as needed, for associated Fiscal Year (FY) 2017 - 2018 payments. HHSA recommends continuation and approval of the subject agreements through FY 2017 - 2018 as each perpetual agreement is required for the administration and provision of services to the community (refer to Attachment 7A).

Additionally, HHSA has determined, in accordance with County Ordinance Section 3.13.030, that it is more economical and feasible to engage independent contractors for the various services provided via these perpetual agreements as noted in Attachment 7A.

DISCUSSION / BACKGROUND:

On June 14, 2016 (File ID 13-0674, Item 11), HHSA presented to the Board a total of 175 active perpetual agreements (109 expenditure and non-financial, 12 revenue, and 54 "to be terminated") active perpetual agreements, of which HHSA recommended the Board approve continuation of 121 perpetual agreements in accordance with Board of Supervisors Policy C-17, Section 4.5, "Contract Term," with a remainder of 54 perpetual agreements that HHSA recommended be terminated.

In May 2017, HHSA requested an evaluation by the Purchasing Agent of the appropriateness of including revenue and nonfinancial agreements in the list of perpetual agreements presented to the Board. At that time it was recommended that only those perpetual agreements that are covered under Board of Supervisors Policy C-17 be presented for approval. Nonfinancial agreements are covered by Board of Supervisors Policy C-18, and revenue agreements are not subject to requirements under Board Policy C-17. Therefore, the list of agreements attached hereto as Attachment 7A represents only those Agreements for Services that are covered by Board Policy C-17.

During FY 2017-2018, HHSA will continue to monitor and research the existing perpetual agreements, and for ones that are no longer needed, will terminate them as appropriate; HHSA will continue to notify the Board of such terminations on an annual basis.

ALTERNATIVES:

If the Board does not approve continuation of these perpetual agreements, HHSA will be unable to process payment for services provided under said agreements. Likewise, should the Board decline to authorize termination of perpetual agreements to be identified by HHSA that are no longer needed, as requested, those contracts will remain active and require annual presentation to the Board for review.

OTHER DEPARTMENT / AGENCY INVOLVEMENT:

The Purchasing Agent to encumber funds and establish blanket purchase orders, as necessary, for payment of FY 2017 - 2018 costs associated with HHSA perpetual agreements and blanket purchase orders detailed in Attachment 7A.

County Counsel, Risk Management, Human Resources, and Purchasing Agent approvals were obtained prior to execution of each perpetual agreement and blanket purchase order, as applicable.

CAO RECOMMENDATION:

It is recommended that the Board approve this item.

FINANCIAL IMPACT:

There is no Net County Cost associated with this Agenda Item. The value of each perpetual agreement and blanket purchase order for FY 2017-2018 is identified in Attachment 7A. Sufficient appropriations will be included in the Fiscal Year 2017-2018 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 provide one (1) certified minute order to the HHSA Contracts Unit at 3057 Briw Road.

STRATEGIC PLAN COMPONENT:

N/A

CONTACT

Patricia Charles-Heathers, Ph.D., Director