



Board Agenda Item 47

DATE: February 22, 2022

TO: Board of Supervisors

SUBMITTED BY: David Luchini, RN, PHN, Director, Department of Public Health

SUBJECT: Third Amendment to Agreement with Two Q, Inc., dba JP Marketing

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute Amendment No. 3 with Two Q, Inc. dba JP Marketing for communication and advertising services, effective upon execution with no change to the term of May 8, 2018 through June 30, 2023 and increasing the maximum by \$825,000 to a total of \$6,897,223; and**
- 2. Adopt Budget Resolution increasing FY 2021-22 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$475,000 for media related services (4/5 vote).**

There is no additional Net County Cost associated with the recommended actions. The agreement with Two Q, Inc. dba JP Marketing (JP Marketing) involves disseminating information on public health awareness including ongoing COVID-19 vaccination campaigns, health equity participation, and smoking cessation campaigns. Approval of the recommended actions will increase the agreement maximum with JP Marketing by \$825,000 and increase FY 2021-22 appropriations and estimated revenues for the Department of Public Health by \$475,000 to increase outreach and education media campaigns related to COVID-19. In addition to a maximum compensation adjustment, this amendment is cleaning up language in the agreement to clarify compensation in the event of a late payment or breach, intellectual property rights for creative materials, insurance language, noticing and the option for electronic signature of the Agreement and any future amendments. This item is countywide.

ALTERNATIVE ACTION(S):

If your Board decides to not approve the recommended actions, the Department will be limited to remain at the current funding level for FY 2021-22 which will impact the number of media campaigns it runs in regards to awareness of COVID Vaccinations and public health, which will impact the dissemination of critical information and outreach to County residents. Not approving the recommended actions will also leave the agreement as it is and not clean up language regarding late payment, breach, intellectual property rights, insurance, noticing and electronic signature.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. With your Board's approval, the Amendment will increase the maximum compensation by \$825,000 (\$475,000 during FY 2021-22 and \$350,000 for FY 2022-23) to \$6,897,223, which is funded with State and Federal funds. Approval of the second recommended action will increase the FY 2021-22 appropriations and estimated revenues for the Department of Public Health's Org 5620 in the amount of \$475,000.

DISCUSSION:

On May 8, 2018, your Board approved an agreement with JP Marketing under contract number 18-252 for media communication and advertising services. On March 26, 2019, your Board approved the First Amendment to include Phase I of the Department of Public Works and Planning's Environmental Compliance Center, neighborhood outreach media communications and advertising services. On February 23, 2021, your Board approved the Second Amendment to increase the maximum compensation by \$2.2 million which allowed the Department to maintain levels of outreach to residents and businesses regarding health education and other efforts that support the Department's goals and requirements provided by State and Federal institutions. The approval also allowed the Department to increase public outreach and media advertising regarding COVID-19 related matters.

Approval of the recommended Amendment with JP Marketing will increase maximum compensation by \$825,000 to increase outreach and education media campaigns related to COVID-19 as well as clarify compensation language in the event of delinquent payments, ownership of intellectual property rights in regard to completed designs and items, add insurance language to include coverage regarding molestation and cyber security, noticing options between the County of Fresno and JP Marketing, and electronic signature. The contract language will be updated to include the most recent insurance requirements as noted by County Risk Management. The Amendment will also include non-standard language allowing for JP Marketing the right to stop providing services up to and including the right to terminate the contract if the County is delinquent on payment. In addition, the County and JP Marketing have agreed to language relating to the ownership of intellectual property rights for end products produced by JP Marketing on the County's behalf in regard to media and digital marketing campaigns.

Approval of the second recommended action will increase the Department's FY 2021-22 appropriations and estimated revenues in the amount of \$475,000 to allow for continued efforts in encouraging public health awareness including ongoing COVID Vaccination campaigns.

REFERENCE MATERIAL:

BAI#26, February 23, 2021
BAI#43, March 26, 2019
BAI#35, May 8, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment III with Two Q
On file with Clerk - Resolution (Org 5620)

CAO ANALYST:

Ron Alexander