



Board Agenda Item 58

DATE: June 22, 2021

TO: Board of Supervisors

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

SUBJECT: Ratification of Retroactive Agreements with The Regents of the University of California, San Francisco and Valley Health Team Inc.

RECOMMENDED ACTION(S):

- 1. Ratify retroactive Agreement D-21-130 with The Regents of the University of California, San Francisco for provision of COVID-19 vaccination administration services previously executed by the County Administrative Officer, acting as Emergency Services Director, effective April 15, 2021 through April 14, 2022, total not to exceed \$4,444,020.**
- 2. Ratify retroactive Agreement D-21-174 with Valley Health Team Inc for provision of COVID-19 vaccination administration services previously executed by the County Administrative Officer, acting as Emergency Services Director, effective March 24, 2021 through March 23, 2022, total not to exceed \$730,200.**

There is no additional Net County Cost associated with the recommended actions. Approval of the first recommended action will ratify a retroactive agreement with The Regents of the University of California, San Francisco (UCSF) for the provision of vaccination administration services. Approval of the second recommended action will ratify a retroactive agreement with Valley Health Team Inc (VHT) for the provision of vaccination administration services. This item is countywide.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. Should your Board choose not to ratify the agreement between the County and UCSF or the County and VHT, services with that particular vendor would be discontinued and vaccine administration to Fresno County residents would be impacted.

RETROACTIVE AGREEMENT:

The ongoing COVID-19 pandemic created an urgent need to provide vaccine administration to Fresno County residents as soon as possible. The recommended agreement with UCSF is retroactive to April 15, 2021, which allowed UCSF to continue providing and expanding vaccine administration which it had previously been providing through an agreement with the City of Fresno (City). The recommended agreement with VHT is retroactive to March 24, 2021, to account for expenditures that exceeded the maximum agreement amount established in Agreement P-21-023.

FISCAL IMPACT:

There is no Net County Cost associated with the proposed agreements. All costs associated with the agreements will be paid for with a combination of funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act allocation, state Immunization grant(s), and Epidemiology and Laboratory Capacity

(ELC) grants. Since April 15, 2021, UCSF has provided an estimated \$550,000 in services. Since March 24, 2021, VHT has provided an estimated \$310,000 in services. Sufficient appropriations and estimated revenues are included in the Department's Org 5620 FY 2020-21 Adopted Budget and will be included in subsequent requested budgets.

DISCUSSION:

Beginning in August 2020, through an agreement with the City, UCSF began providing COVID-19 testing and supported health education with community-based organization partners utilizing CARES Act funds provided by the City. Once vaccine became available, UCSF began administering the COVID-19 vaccine to Fresno County residents. Through April 15, 2021, when the City of Fresno funds were exhausted, UCSF had administered more than 20,000 doses of COVID-19 vaccine.

The proposed agreement between the County and UCSF increases the potential number of vaccine doses that can be provided by UCSF to up to 1,000 per day, six days per week at a clinic located at the Fresno City College Campus. The agreement also provides for up to 200 vaccinations per day, six days per week, through mobile clinics that may be located anywhere in Fresno County, as directed by the Department of Public Health. The County and UCSF will work together to assure maximization of resources and meeting of expected vaccination goals. Compensation for services will be based on UCSF's actual costs.

In January 2021 the County entered into a procurement agreement (P-21-023) relationship with VHT with an expenditure limit of \$150,000, which is within the Purchasing Manager's approval authority. The agreement was subsequently amended on March 23, 2021, increasing the maximum compensation limit to \$199,000, however services provided by VHT have exceeded the limit allowed under a procurement agreement relationship, necessitating the need to convert the existing relationship into a Board agreement. The increased maximum compensation limit will support the additional vaccination already provided to County residents as well as address access needs. The proposed agreement with VHT allows for the continuation of services previously provided under the original agreement prior to expenditures exceeding \$199,000. Effective March 24, 2021, the original agreement will no longer be used for continuing services.

The agreements differ from the County's model contract in that each contains a mutual hold harmless clause. Additionally, because UCSF is a governmental entity, the agreement with UCSF apportions losses due to concurrent negligence under the State of California's theory of comparative negligence, as recommended by County Risk Management. DPH believes that the benefits of the recommended agreements outweigh any potential risks and recommends approval of the agreements as a prudent business decision.

REFERENCE MATERIAL:

Purchasing Agreement (P-21-023) with VHT

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement No. D-21-130 with UCSF
On file with Clerk - Agreement No. D-21-174 with VHT

CAO ANALYST:

Ron Alexander