



County of Fresno

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Legislation Details (With Text)

File #: 21-0026 **Name:** Second Amendment to Agreement with CDPH

In control: Public Health

On agenda: 4/27/2021 **Final action:** 4/27/2021

Enactment date: **Enactment #:** Agreement No. 17-638-2, Resolution No. 21-121

Title: Approve and authorize the Chairman to execute retroactive Second Amendment to Agreement No. 17-638 (State Agreement No. 17-10306, A02) with the California Department of Public Health for immunization services, effective July 1, 2020 with no change to the term of July 1, 2017 through June 30, 2022 and increasing the maximum by \$524,899 to a total of \$2,835,301; Approve and authorize the Director of the Department of Public Health to execute the Contractor's Release for submission with the final invoice; and Adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$391,538 (4/5 vote)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-17-638-2 with California Department of Public Health, 3. Resolution No. 21-121

Date	Ver.	Action By	Action	Result
4/27/2021	1	Board of Supervisors	Consent Agenda be approved	Pass

DATE: April 27, 2021

TO: Board of Supervisors

SUBMITTED BY: David Pomaville, Director, Department of Public Health

SUBJECT: Retroactive Second Amendment to Revenue Agreement with the California Department of Public Health for Immunization Program Services

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute retroactive Second Amendment to Agreement No. 17-638 (State Agreement No. 17-10306, A02) with the California Department of Public Health for immunization services, effective July 1, 2020 with no change to the term of July 1, 2017 through June 30, 2022 and increasing the maximum by \$524,899 to a total of \$2,835,301;**
- 2. Approve and authorize the Director of the Department of Public Health to execute the Contractor's Release for submission with the final invoice; and**
- 3. Adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for the Department of Public Health Org 5620 in the amount of \$391,538 (4/5 vote).**

There is no increase in Net County Cost associated with the recommended actions. The California Department of Public Health (CDPH) has increased the County's FY 2020-21 funding for the Immunization Program to conduct enhanced influenza activities as part of the COVID-19 response and vaccination planning. Approval of the first two recommended actions will accept the increased allocation (\$524,899) for FY 2020-21 and

authorize the Director of the Department of Public Health to execute the Contractor's Release for submission of the final invoice. Approval of the third recommended action will increase the Department of Public Health FY 2020-21 appropriations and estimated revenues for the ongoing support of COVID-19 vaccine activities. This item is Countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. Should your Board not approve the recommended actions, the Department would be unable to fully fund flu vaccination activities and support ongoing COVID-19 planning, vaccine distribution, and vaccination administration activities.

RETROACTIVE AGREEMENT:

The award was received from the California Department of Public Health on January 17, 2021 and is retroactive to July 1, 2020. The lateness of the request to amend the agreement is due to the State not approving the budget until January 17, 2021 and lengthy discussions following the award notification.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The annual allocation for FY 2020-21 will be increased by \$524,899 to a maximum of \$2,835,301 over the five-year term. The amount for the Budget Resolution is \$391,538 which is the additional amount of appropriations needed to add to the current budget to cover costs in Org 56201657. FY 2021-22 allocation year remains unchanged at \$450,576 at this time. The \$524,899 will help fund unbudgeted extra help staffing as well as direct costs that will support the additional goals. The existing revenue agreement allows for full recovery of indirect cost currently at 22.674%. The recommended budget resolution will increase appropriations and estimated revenues in the FY 2020-21 Department of Public Health Org 5620 in the amount of \$391,538.

DISCUSSION:

On December 12, 2017, the Board approved revenue Agreement No. 17-638 (State Agreement No. 17-10306) with CDPH for mandated local immunization programs. Due to the COVID-19 pandemic, CDPH increased funding for FY 2020-21 to provide support to enhance influenza activities and conduct COVID-19 vaccine distribution planning and vaccine administration throughout Fresno County. The additional funding is critical to ensure that providers have the resources and storage equipment necessary to handle temperature sensitive vaccines to maintain the vaccine's effectiveness and thus viability. The funding will also be used to reimburse contracting partners to conduct mobile vaccination clinics in the rural areas. As of March 23, 2021, there has been 98,276 positive cases and 1,572 deaths related to Covid-19. CDPH has allocated 346,100 COVID-19 vaccination doses to Fresno County; 334,334 doses have been administered at 55 clinics organized by the Department. Currently, there are 124 approved providers and three contracted partners registered to assist with the administration of Fresno County's COVID-19 vaccination allocation.

With the Board's approval, the funds will also be used for a contracted Information Technology position to onboard and support CDPH MyTurn vaccine management, distribution, and scheduling management system. Two full time extra help Communicable Disease Specialists will manage vaccine distribution/redistribution and conduct provider training. Additionally, one extra help full time Program Technician will manage documentation and inventory requirements by CDPH. The staff mentioned above are currently working for the Department in COVID Response. Permanent positions are not being requested because recruitment is time-intensive and the funding in this amendment is only given once. The Department will cover costs of the staff in COVID response that meet the scope of work. When the funds in this agreement are expended, COVID Early Learning and Care (ELC) funds will be used to pay for the added staff.

The grant also supports seasonal flu clinics, case management services for Perinatal Hepatitis B patients,

immunization compliance review with schools, health outreach and education. Due to the pandemic, the Department will work with providers to serve the immunization needs of residents and their children as required for school registration and will work to maintain the County's higher than average rate of kindergarteners with all required immunizations (96.6% vs. 94.8% Statewide in 2018).

The existing agreement contains non-standard language in that it authorizes the State to cancel or terminate without cause by giving 30 calendar days advance written notice to the County, or amend the Agreement to reflect possible reduction in funds. The agreement also contains non-standard County general indemnification and intellectual property indemnification provisions, which require the County to indemnify the State and does not contain reciprocal language. The insurance language and limits has been reviewed by Risk Management and deemed acceptable given this is a State revenue agreement.

REFERENCE MATERIAL:

BAI #37, January 21, 2020
BAI #33, December 12, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement A-17-10306-A02 with California Department of Public Health
On file with Clerk - Resolution (Org 5620)

CAO ANALYST:

Ron Alexander