1   [Approval of Contract with Siemens Medical Solutions USA, Inc. - Not Exceed $33,820,487]

2

3   **Resolution authorizing the San Francisco Department of Public Health, to enter into a**

4   **contract with Siemens Medical Solutions USA, Inc. (Siemens) for the continued**

5   **licensing and maintenance of proprietary Siemens Applications for the initial term of**

6   **July 1, 2010, through June 30, 2017, with one option to extend the initial term for an**

7   **additional twenty four months ending June 30, 2019.**

8

9   WHEREAS, DPH has entered into two current Agreements with Siemens as the

10   principal vendor of clinical and financial applications for the Department of Public Health and

11   Community Health Network known as the Product and Professional Services Contract and

12   Remote Computing Option; and

13   WHEREAS, The terms of these existing contracts expire on June 30, 2012; and

14   WHEREAS, DPH and Siemens wish to terminate the existing contracts and consolidate

15   the services into one contract with a seven-year term, which includes the two remaining years

16   of the existing contracts plus an additional five years, in order to achieve operational

17   efficiencies and realize ongoing budget savings; and,

18   WHEREAS, The Health Commission has approved the consolidation of the existing

19   contracts in order to achieve operational efficiencies and budget savings; and,

20   WHEREAS, The cost of the initial term of the consolidated contract would not exceed

21   Thirty Three Million Eight Hundred Twenty Thousand Four Hundred Eighty Seven Dollars

22   ($33,820,487); and

23   WHEREAS, Siemens has agreed to fully indemnify the City in cases of infringement in

24   compliance with Administrative Code Section 21.21; and

25

Supervisor David Chiu
BOARD OF SUPERVISORS

WHEREAS, in order to achieve full functionality for the radiology component of the application, Siemens and The City must use third party software from the American College of Radiology, who will not extend to users of its software protection against intellectual property claims, and therefore does not fully comply with Administrative Code Section 21.21; and

WHEREAS, any contract that does not fully comply with the requirements of Administrative Code Section 21.21 requires a resolution from the Board of Supervisors approving such contracts, and

WHEREAS, Article IX, SEC. 9.118.B of the San Francisco Charter requires that contracts that could require anticipated expenditures of the City and County in excess of Ten Million ($10,000,000) Dollars be approved by the Board of Supervisors; and

WHEREAS, When the consolidated contract is fully signed and certified, a copy shall be on file with the Clerk of the Board of Supervisors in File No.   , which is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the Department of Public Health and The Office of Contract Administration on behalf of the City and County of San Francisco to enter into the contract with Siemens Medical Solutions USA, Inc.
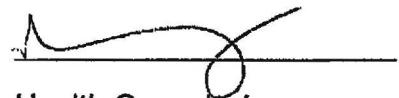
APPROVED:

Mitchell H. Katz, MD
Director of Health

APPROVED:

Health Commission

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100752   **Date Passed:** July 13, 2010

Resolution authorizing the San Francisco Department of Public Health, to enter into a contract with Siemens Medical Solutions USA, Inc., for the continued licensing and maintenance of proprietary Siemens Applications for the initial term of July 1, 2010, through June 30, 2017, with one option to extend the initial term for an additional twenty four months ending June 30, 2019.

July 13, 2010 Board of Supervisors - ADOPTED

     Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100752

I hereby certify that the foregoing Resolution was ADOPTED on 7/13/2010 by the Board of Supervisors of the City and County of San Francisco.

_____
Angela Calvillo
Clerk of the Board

_____
Mayor Gavin Newsom

June 23, 2010
Date Approved