

FILE NO. 000664

RESOLUTION NO. 408-00

1 [Contract]

2
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY HEALTH SERVICES,
4 OFFICE OF SPECIAL PROJECTS, TO ENTER INTO A SUBCONTRACT AGREEMENT IN THE
5 AMOUNT OF \$~~214,582~~^{\$184,850} TO PROVIDE LOCAL POSTEXPOSURE PROPHYLAXIS DATA TO THE
6 PRIMARY CONTRACTOR, JOHN SNOW, INC., WHICH DOES NOT INCLUDE INTELLECTUAL
7 PROPERTY INDEMNIFICATION AND FALSE CLAIMS CLAUSES; RETROACTIVE TO APRIL 1,
8 2000.

9 WHEREAS, John Snow, Inc., as the primary contractor, has requested that the Department of
10 Public Health, Office of Special Projects, enter into a subcontract agreement to provide local
11 Postexposure Prophylaxis data; and,

12 WHEREAS, John Snow, Inc. has agreed to reimburse the Department of Public Health for these
13 services in the estimated amount of \$~~214,582~~^{\$184,850} under the terms of this subcontract agreement; and,

14 WHEREAS, As a condition of receiving the funds, John Snow, Inc. requires the City to enter
15 into an agreement (the "Agreement"), a copy of which is on file with the Clerk of the Board of
16 Supervisors in File No. 000664 ; and,

17 WHEREAS, The Agreement does not contain certain provisions described below, which are
18 required under the Administrative Code unless waived by the Board of Supervisors; and,

19 WHEREAS, The budget includes provision for indirect costs of \$1,939; now, therefore, be it

20 RESOLVED, That the Department of Public Health is hereby authorized to enter retroactively
21 into a subcontract agreement in the amount of \$~~214,582~~^{\$184,850} with John Snow, Inc., the primary contractor,
22 during the period covered by this Agreement; retroactive to April 1, 2000; and, be it

23 FURTHER RESOLVED, That the Director of Health is authorized to enter into the Agreement
24 on behalf of the City; and, be it

25 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
contained in Section 21.21 of the Administrative Code that the Agreement include an indemnification of
the City by John Snow, Inc. for the infringement of patent rights, copyright, trademark, and other
intellectual property rights; and, be it

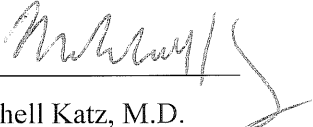
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FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement that the Agreement include a paragraph reciting the false claim provisions contained in Section 21.35 of the Administrative Code; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Health to enter into similar agreements with John Snow, Inc. if the subcontract recurs or is renewed.

RECOMMENDED:

APPROVED:



Mitchell Katz, M.D.
Director of Health



Health Commission

Department of Public Health



City and County of San Francisco

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

Tails

Resolution

File Number: 000664

Date Passed:

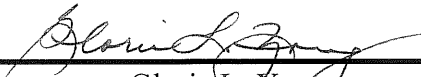
Resolution authorizing the Department of Public Health, Community Health Services, Office of Special Projects, to enter into a subcontract agreement in the amount of \$184,850 to provide local Postexposure Prophylaxis data to the primary contractor, John Snow, Inc., which does not include intellectual property indemnification and false claims clauses; retroactive to April 1, 2000.

May 8, 2000 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

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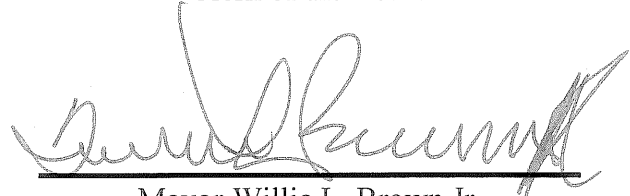
I hereby certify that the foregoing Resolution was ADOPTED on May 8, 2000 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

MAY 19 2000

Date Approved



Mayor Willie L. Brown Jr.