

1 [Contract Amendment - Color Genomics, Inc. - COVID-19 Testing Services - Not to Exceed  
2 \$84,382,042]

3 **Resolution approving Amendment No. 3 to the agreement between Color Genomics,**  
4 **Inc. and the Department of Public Health, for COVID-19 testing services, to increase the**  
5 **agreement amount by \$74,482,042 for a total not to exceed amount of \$84,382,042; and**  
6 **to establish a specific term end date of March 31, 2021, for a total agreement term of**  
7 **April 6, 2020, through March 31, 2021.**

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9 WHEREAS, The Department of Public Health (DPH) entered into an agreement with  
10 Color Genomics, Inc. on April 6, 2020, for COVID-19 testing services for City employees only  
11 at the Embarcadero testing site, in the amount of \$7,990,000 under Chapter 21.15 of the San  
12 Francisco Administrative Code and the Mayor’s proclamation declaring the existence of a  
13 local emergency, for a term lasting through the duration of the emergency; and

14 WHEREAS, Under the same authority, on April 20, 2020, DPH subsequently amended  
15 the agreement with Amendment 1, to expand testing at the Embarcadero site from only City  
16 employees to all essential workers, and to add a testing site in the South of Market  
17 neighborhood, increasing the amount to \$8,254,661; and

18 WHEREAS, On May 4, 2020, with Amendment No. 2, DPH mobile testing was added,  
19 increasing the amount to \$9,990,000; and

20 WHEREAS, To align with the Mayor’s proclamation requiring contract terms be no  
21 longer than 12 months DPH wishes to amend the agreement by executing Amendment No. 3,  
22 to establish a specific date for the expiration of the agreement of March 31, 2021, with the  
23 provision that the City may terminate the agreement earlier when a replacement agreement  
24 awarded under a Request For Proposals takes its place; and

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1           WHEREAS, Amendment No. 3 will also add two mobile testing teams, increase  
2 capacity at the Embarcadero testing site, increase City employee testing at Laguna Honda  
3 Hospital and at an optional third site, and allow Color Genomics to seek reimbursement from  
4 insurers; now, therefore, be it

5           RESOLVED, That the Board of Supervisors hereby authorizes the Director of Public  
6 Health and the Director of the Office of Contract Administration/Purchaser, on behalf of the  
7 City and County of San Francisco, to execute Amendment No. 3; and, be it

8           FURTHER RESOLVED, That the Board of Supervisors authorizes the  
9 Department of Public Health to enter into any amendments or modifications to the  
10 contract, prior to its final execution by all parties, that the Department determines, in  
11 consultation with the City Attorney, are in the best interest of the City, do not otherwise  
12 materially increase the obligations or liabilities of the City, are necessary or advisable to  
13 effectuate the purposes of the contract, and are in compliance with all applicable laws;  
14 and, be it

15           FURTHER RESOLVED, That within thirty (30) days of the contract being fully executed  
16 by all parties, the Director of Health and/or the Director of the Office of Contract  
17 Administration/Purchaser shall provide the final contracts to the Clerk of the Board for  
18 inclusion into the official File No. \_\_\_\_\_.

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20 RECOMMENDED:

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22           \_\_\_\_\_/s/\_\_\_\_\_  
23 Dr. Grant Colfax  
24 Director of Health

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