

1 [Contract Amendment - Project Open Hand - HIV/AIDS Food and Nutrition Services - Not to
2 Exceed \$20,528,272]

3 **Resolution approving Amendment No. 4 to the agreement between the City, acting by**
4 **and through, the Department of Public Health (DPH), and Project Open Hand, to provide**
5 **HIV/AIDS food and nutrition services, to increase the contract amount by \$1,727,928 for**
6 **a new total not to exceed amount of \$20,528,272 with no changes to the term of April 1,**
7 **2017, through March 31, 2027; and to authorize DPH to enter into amendments or**
8 **modifications to the agreement that do not materially increase the obligations or**
9 **liabilities to the City and are necessary to effectuate the purposes of the agreement or**
10 **this Resolution.**

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12 WHEREAS, On January 30, 2017, the Department of Public Health (DPH) issued a
13 Request for Proposals (RFP 9-2017) for provision of food and nutrition services targeting low-
14 income HIV clients living in San Francisco; and

15 WHEREAS, Project Open Hand submitted a proposal and was the highest ranked
16 proposer; and

17 WHEREAS, DPH awarded the contract to Project Open Hand; and

18 WHEREAS, The contract is consistent with the Civil Service Commission's approval
19 obtained on July 18, 2016, under Personal Service Contract No. 2005-07/08; and

20 WHEREAS, On April 1, 2017, DPH and Project Open Hand entered into an agreement
21 for HIV/AIDS food and nutrition services ("Original Agreement"); and

22 WHEREAS, The Original Agreement has a term of April 1, 2017, through March 31,
23 2021, and a not to exceed amount of \$6,258,690, for HIV/AIDS food and nutrition services;
24 and

1 WHEREAS, DPH amended the Original Agreement on December 1, 2018, to extend
2 the term by three months from March 31, 2021, through June 30, 2021, adding \$1,225,840 for
3 an amount not to exceed \$7,484,530, for HIV/AIDS food and nutrition services (the "First
4 Amendment"); and

5 WHEREAS, DPH amended the First Amendment on February 1, 2021, to extend the
6 term by one year from June 30, 2021, through June 30, 2022, adding \$1,873,175 for an
7 amount not to exceed \$9,357,705, for HIV/AIDS food and nutrition services (the "Second
8 Amendment"); and

9 WHEREAS, DPH amended the Second Amendment on January 1, 2022, to extend the
10 term by four years and nine months from June 30, 2022, through March 31, 2027, adding
11 \$9,442,639 for an amount not to exceed \$18,800,344, for HIV/AIDS food and nutrition
12 services (the "Third Amendment"); and

13 WHEREAS, DPH wishes to amend the agreement by increasing the maximum
14 expenditure by \$1,727,928 to \$20,528,272 (the "Fourth Amendment"); and

15 WHEREAS, The Fourth Amendment is consistent with the Department of Human
16 Resources on behalf of the Civil Service Commission's approval obtained on July 18, 2016,
17 under PSC No. 2005-07/08; and

18 WHEREAS, Charter, Section 9.118(b), requires Board of Supervisors' approval by
19 Resolution of any contract which, when entered into, extends over 10 years, and of any
20 contract which, when entered into, costs the City \$10,000,000 or more; and

21 WHEREAS, The proposed amendment contained in File No. _____, is
22 substantially in final form, with all material terms and conditions included, and only remains to
23 be executed by the parties upon approval of this Resolution; now, therefore, be it

24 RESOLVED, That the Board of Supervisors hereby approves the amendment in
25 substantially the form contained in File No. _____; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors authorizes DPH to make any
2 modifications to the amendment, prior to its final execution by all parties, that DPH
3 determines, in consultation with the City Attorney, are consistent with this Resolution, in the
4 best interest of the City, do not materially increase the obligations or liabilities of the City, are
5 necessary or advisable to effectuate the purposes of the amendment, and are in compliance
6 with all applicable laws, including City's Charter; and, be it

7 FURTHER RESOLVED, That within 30 days of the amendment being fully executed by
8 all parties, DPH shall submit to the Clerk of the Board of Supervisors a completely executed
9 copy for inclusion in File No. _____; this requirement and obligation resides with the
10 Department, and is for purposes of having a complete file only, and in no manner affects the
11 validity of approved amendment.

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16 RECOMMENDED

17 /s/ Naveena Bobba

18 Daniel Tsai

19 Director of Health
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