

1 [Contract]

2
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND
4 PREVENTION, COMMUNITY MENTAL HEALTH SERVICES, TO ENTER INTO A
5 SUBCONTRACT IN THE AMOUNT OF \$3,285.31 WITH THE UNIVERSITY OF CALIFORNIA
6 (SAN FRANCISCO), THE PRIMARY CONTRACTOR, TO PROVIDE DATA AND
7 CONSULTATION FOR A STUDY OF THE CONSEQUENCES OF COMORBID DRUG ABUSE AND
8 MENTAL DISORDERS, WHICH INCLUDES A RIGHTS IN DATA CLAUSE AND DOES NOT
9 INCLUDE INTELLECTUAL PROPERTY INDEMNIFICATION AND FALSE CLAIMS CLAUSES;
10 RETROACTIVE TO SEPTEMBER 1, 1999.

11 WHEREAS, The University of California (San Francisco) has received funds from the
12 Department of Health and Human Services (DHHS) for a project entitled "Consequences of Comorbid
13 Drug Abuse and Mental Disorders"; and,

14 WHEREAS, The University of California (San Francisco) as the primary contractor, has
15 requested that the Department of Public Health, Community Mental Health Services, enter into a
16 subcontract to participate in this project; and,

17 WHEREAS, The University of California (San Francisco) has agreed to reimburse the
18 Department of Public Health, Community Mental Health Services in the amount of \$3,285.31 under the
19 terms of this subcontract; and

20 WHEREAS, The subcontract specifies that the Department of Public Health is to provide data
21 and consultation deemed necessary to meet the reporting requirements of the DHHS Granting Agency
22 during the term of the subcontract; and

23 WHEREAS, As a condition of receiving the funds, University of California (San Francisco)
24 requires the City to enter into an agreement (the "Agreement"), a copy of which is on file with the Clerk
25 of the Board of Supervisors in File No. 000776 ; and,

WHEREAS, The Agreement contains a certain provision described below, which requires the
approval of the Board of Supervisors; and,

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

1 WHEREAS, The grant budget includes provision for indirect costs of \$156.44; now, therefore,
2 be it

3 RESOLVED, That the Department of Public Health is hereby authorized to enter into a
4 subcontract in the amount of \$3,285.31 with the University of California (San Francisco), the primary
5 contractor, for provision of data and consultation during the period covered by this Agreement;
6 retroactive to September 1, 1999; and, be it

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


9 FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision in the
10 Agreement pursuant to which the City agrees to grant a royalty-free, nonexclusive, and irrevocable
11 license for the use of data developed under the subcontract; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
13 contained in Section 21.21 of the Administrative Code that the Agreement include an indemnification of
14 the City by the University of California for the infringement of patent rights, copyright, trademark, and
15 other intellectual property rights; and, be it

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

19 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Health to
20 enter into similar agreements with the University of California (San Francisco) if the subcontract recurs
21 or is renewed.

22 RECOMMENDED:

23 
24 _____
25 Mitchell Katz, M.D.
Director of Health

APPROVED:



Health Commission



City and County of San Francisco

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

Tails

Resolution

File Number: 000776

Date Passed:

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Mental Health Services, to enter into a subcontract in the amount of \$3,285.31 with the University of California (San Francisco), the primary contractor to provide data and consultation for a study of the consequences of Comorbid Drug Abuse and Mental Disorders, which includes a rights in data clause and does not include intellectual property indemnification and false claims clauses; retroactive to September 1, 1999.

May 22, 2000 Board of Supervisors — ADOPTED

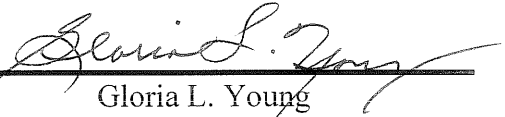
Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Becerril

File No. 000776

I hereby certify that the foregoing Resolution was ADOPTED on May 22, 2000 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

JUN - 2 2000

Date Approved



Mayor Willie L. Brown Jr.