

1 [Contract]

2
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND
4 PREVENTION, COMMUNITY HEALTH SERVICES, TO ENTER INTO A SUBCONTRACT
5 AGREEMENT IN THE AMOUNT OF \$90,000 TO PROVIDE MENTAL HEALTH STAFFING AND
6 SERVICES TO ASIAN AMERICAN RECOVERY SERVICES, INC., THE PRIMARY
7 CONTRACTOR, WHICH DOES NOT INCLUDE INTELLECTUAL PROPERTY
8 INDEMNIFICATION AND FALSE CLAIMS CLAUSES; RETROACTIVE TO OCTOBER 1, 1998.

9 WHEREAS, Asian American Recovery Services, Inc., as the primary contractor, has requested
10 that the Department of Public Health, Population Health and Prevention, Community Health Services,
11 enter into a subcontract agreement to provide mental health staffing and services; and,

12 WHEREAS, Asian American Recovery Services, Inc. has agreed to reimburse the Department of
13 Public Health for these services in the amount of \$90,000 under the terms of this subcontract agreement;
14 and,

15 WHEREAS, As a condition of receiving the funds, Asian American Recovery Services, Inc.
16 requires the City to enter into an agreement (the "Agreement"), a copy of which is on file with the Clerk
17 of the Board of Supervisors in File No. 000621; and,

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

20 WHEREAS, The terms of the Agreement prohibit including indirect costs in the grant budget;
21 now, therefore, be it

22 RESOLVED, That the Department of Public Health is hereby authorized to enter retroactively
23 into a subcontract agreement in the amount of \$90,000 with Asian American Recovery Services, Inc., the
24 primary contractor, during the period covered by this Agreement; retroactive to October 1, 1998; and, be
25 it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect
costs in the budget of the Agreement; and, be it

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

1 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
2 contained in Section 21.21 of the Administrative Code that the Agreement include an indemnification of
3 the City by the Asian American Recovery Services, Inc. for the infringement of patent rights, copyright,
4 trademark, and other intellectual property rights; and, be it

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

8 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Health to
9 enter into similar agreements with Asian American Recovery Services, Inc. if the subcontract recurs or is
10 renewed.

11 RECOMMENDED:

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13 Mitchell Katz, M.D.
14 Director of Health

15 APPROVED:

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17 Health Commission
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City and County of San Francisco

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

Tails

Resolution

File Number: 000621

Date Passed:

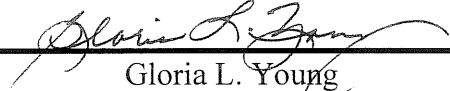
Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Health Services, to enter into a subcontract agreement in the amount of \$90,000 to provide mental staffing and services to Asian American Recovery Services, Inc., the primary contractor, which does not include intellectual property indemnification and false claims clauses; retroactive to October 1, 1998.

May 8, 2000 Board of Supervisors — ADOPTED

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

File No. 000621

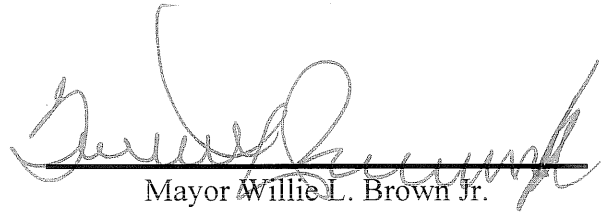
I hereby certify that the foregoing Resolution was **ADOPTED** on May 8, 2000 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

MAY 19 2000

Date Approved



Mayor Willie L. Brown Jr.